Rethinking Epigraphy: What a Combined Butlerian & Bahktinian Analysis of Babylonian Kudurru Can Illuminate About Ancient Linguistic Mediation of Imagined Space

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Rethinking Epigraphy: What a Combined Butlerian and Bakhtinian Analysis of Babylonian Kudurru Can Illuminate about Ancient Linguistic Mediation of Imagined Space

Connor C. Armi

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Abstract

This present thesis seeks to explain qualitatively how early Mesopotamian city states constructed and maintained their landscape through the creation of the kudurrus. Kudurrus are relatively large stones which contain iconographic and epigraphic data that explain the purpose and permanence of the stones themselves. Due to the links between the gods, kings, temples, and the land with which each is associated, the kudurrus function through culturally imbued agency by the expression and performance of the mediation and maintenance of cosmological boundaries which are associated with both the god’s landscape and the corresponding city-state with which the gods are associated. Through association with the divine ownership of landscape, artifacts such as the kudurrus are often overlooked as functional artifacts that served a purpose within the culture of genesis, rather than serving a function in many secondary depositions at Susa after the Elamite plundering of many Mesopotamian city-states. This thesis elucidates artifact functionality through a contemporary textual and multi-textual analysis, comprised of both kudurrus and other texts, as strained through a multi-tiered amalgamation of anthropological theoretical concepts. This will explain how each aspect of the kudurru, the iconography, the text, and the archaeological deposition, function down to the most basic level and the most complex. Through textual comparisons with texts from the border conflict between Umma-Lagash, during En-metena ensi of Lagash’s reign, which are not kudurrus but are finalized in stone form on the Stele of the Vultures, and the Epilogue from the Code of Hammurabi, this thesis will explicate how the kudurrus function as both a legal text and an artifact with culturally imbued agency. The
linguistic expressions of geographic, cosmological, and cultural boundaries are shown to have been mediated and maintained through the practical relationship between the enforcement of the boundaries by men on behalf of the gods. This relationship reifies the purpose and functional agency of the kudurrus by maintaining a liminal status as legal text, expression of divine will, and cosmological landscape ownership. The discussion of kudurrus through this exercise of a methodological approach to theory illustrates the intrinsic link between linguistic expressions of cultural identity as linked to both gods and the landscape that the gods own, and how the kudurrus as artifacts gain agency through cultural belief in divine ownership of the defined landscape, which then mandates the enforcement of those boundaries.
Dedication

To my wife who kept me sane during a tremulous time
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Introduction

Chapter One of this thesis will serve to give a broad but detailed treatment of kudurrus and kudurru studies as related to the scope of this thesis. First, I will discuss the way in which kudurrus have been classified. Then, I will discuss the way in which scholars have situated kudurrus in geographical, archaeological, and chronological contexts through the utilization of epigraphic, art historical, and archaeological interpretations. After these discussions, I will illustrate the way in which kudurrus can be used to shed light on an emic interpretation of Babylonian society through the elucidation of the kudurrus’ function and meaning in Babylonian society. I will then treat the debate concerning artifacts having agency in order to lay the preliminary groundwork for my methodological approach to the use of theory in Chapter Two. Finally, I will define the anthropological concepts of: imagined communities, performance and expression of identity, utterances, dialogic, heteroglossia, and intertextuality. Chapter Two will steer the theoretical background into a cohesive lens through which kudurrus will be analyzed. Chapter Three will be dedicated to the presentation of my epigraphic and art historical data sets which, due to the nature of discovery for many of the artifacts presented, need no further archaeological analysis other than their in-situ find spots, i.e. the Code of Hammurabi and other kudurrus found at Susa. Chapter Four is the discussion through which I will elucidate the emic functionality of the kudurrus.
Chapter I
Background

Kudurrus have provided socio-economic and geo-political data for the elucidation of Babylonian society over several millennia. The nomenclature of the word “kudurru” in the typological classification of the corpus has had a recent tumultuous history in scholarly discourse with the acknowledgement of its anachronistic meaning for both the “ancient kudurrus” as well as the Kassite/Post-Kassite or “Babylonian kudurrus.”

Kudurru roughly means “boundary stone,” which will be an appropriate classification for both the “ancient” and the Kassite/Post-Kassite/Babylonian kudurrus within the scope of this thesis.

In order to place kudurrus within a larger network of cultural socio-economic systems and before the discussion of kudurru scholarship and classification, I will give a brief treatment to the differences between Northern and Southern Babylonia’s conceptualizations of land “privatization.” This is of particular importance to the emic cultural understanding of the “ancient kudurrus.”

In Southern Babylonia the gods owned both the cosmological realms and the earthly:

“As such, the Pre-Sargonic South formed a well-order, highly ordered, highly balanced system in which each deity was assigned his or her specific role to play and owned a particular earthly domain. … From a political perspective, the single most important fact about this ideology is that it viewed the South as a

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closed system, with the assumed existence of permanent, divinely sanctioned borders between the individual city-states. … The rule over the city-state was exercised by an official called ensik. … The most characteristic departure of the ensik’s position was that its holder functioned as an earthly representative of the deity, taking care of the human and other resources of the city-state on the latter’s behalf. In this relationship, the ensik acted very much like a steward managing the estate belonging to an absentee owner.”

Now, the crucial component to this early conceptualization of the “privatization” of land is that the god was the private owner; the ensik and other human individuals were seen as the possessors of land who paid the god for the use of its land through taxes to the various temple complexes and most importantly through corvée labor.²

Northern Babylonia formed a different concept of “privatization”:

there is convincing evidence that, during the Early Dynastic period (2900-2350 BC), the North formed a single territorial state, which was governed by the city of Kiš. While Kiš remained the usual focal point of this state, it appears that, on some occasions, its center of power moved to Mari in the middle Euphrates valley and Akšak in the Diyala region. … As one may conjecture from the examples of other Mesopotamian peoples that shared similar ethnic and social origins (the Amorites, the Arameans, and the Arabs), the northern kingship was based on descent, and had a distinctive form of kingship, which was strong, authoritarian, and expressly secular in character.⁴

Rather than a god possessing ownership of the entirety of its particular cosmological and earthly realm, the king was the primary owner and was able to lease or grant land to individuals for use, much like the medieval feudal system. In this system, similarly to Southern Babylonia, also relied on corvée labor as a form of payment for the use of the

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king’s land. The clarification of the way in which land was emic-ly viewed from the positions of the Northern and Southern Babylonians indicates that “private” ownership of land did not exist in accordance to the modern concept in Southern Babylonia, while private land use did exist during the Early Dynastic Period in Northern Babylonia. Rather, the possession of land in relation to cultural, economic, and socio-political ownership did exist in Southern Babylonia in the sense that people could not possess or own their land, but their gods owned the land upon which the people lived. Thus, by proxy, the people possess, or have pseudo-ownership, of that land for agricultural use and own the bounty of crops, trees and barley; the land is owned by the king and gods to be parceled out in a feudal-like system of land possession.

However, in Northern Babylonia, in accordance with other textual analysis that I do not have time to rehash here, there was in fact private land use outside of the temples and the concept of ownership was not reserved for divinity. For these reasons, particularly the lack of continuity between Northern and Southern Babylonia until the later Sargonic Period, I will not be including any ancient kudurrus in Chapter Three. However, for further research that could include the ancient kudurrus, I will discuss the key difference between the transactions of land ownership and use being both macro-socioeconomic and micro-socioeconomic. This would help elucidate further localized tiers of cultural interaction with the landscape of Babylonia.

Kudurrus are stones that are demarcated as a corpus by rough typological classification. As a corpus, the kudurrus have been broken into two separate sub-groups:

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ancient kudurrus and Kassite/Post-Kassite Kudurrus. The main difference between the two sub-groups is their linear relationship to each other across time. The reasoning behind the disjointed classification is as follows:

“Since the stone inscriptions dealing with landed property in the third millennium B.C. had certain characteristics linking them with the kudurrus or “boundary stones” of the much later Kassite and Post-Kassite periods, they were dubbed there “ancient kudurrus.” The term has stuck and is now in general use among Assyriologists.”

The later Kassite and Post-Kassite kudurrus (1550-625 BCE) are more often concerned with royal grants of land to varying individuals or religious institutions. The “ancient kudurrus” come from the periods of Uruk III to the Sargonic Period (3100-2008 BCE) and most lack divine symbols and curse formulae, while the epigraphic content comprises the acquisition of multiple areas of land by one buyer from multiple sellers. However, as stated earlier, there are exceptions where large areas of land were owned by deities, not individuals, and thus the land is not owned, but simply possessed by humans using it. This too has a caveat that the concepts of ownership and the displays of religious influence in the privatization of land are conceptually different until after the Sargonic

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period. Northern Babylonia already had private land owned by individuals not necessarily connected to a temple complex or a royal figure. It is prudent to theorize tiers of ownership: the first tier was the gods and the kings, who, depending on whether they were in Southern or Northern Babylonia, are considered the owners of land; the second tier was the ensiks and temples who were considered the stewards of land, closely resembling feudal land possession; the third tier was everyone else, the “serfs”, who did not own land but did own the crops on the cultivated land. While this may seem to be a simplistic conceptualization of tiers, if I were to categorize each individual farm to include all aspects of legal possession in accordance with Babylonian law codes from Ur-Nammu, Shulgi, and Hammurabi, it would constitute enough analysis for a future thesis or dissertation.

The Kassite and Post-Kassite kudurrus contain both divine symbols and curse formulae. This difference is, however, shallow, as the original deposition of the kudurrus was most likely within a temple:

“The purpose of depositing kudurrus, ancient and later, in a temple was not to register them in a sort of record office, but to afford them the protection of the gods and, at the same time, to make them accessible to public scrutiny, and, therefore, to publicize the deed of purchase or donation of land by or to an individual.”

The iconography on the Kassite and Post-Kassite kudurrus, including divine symbols, imbued the stones with divine protection; the same effect could be achieved through the placement of the kudurrus within a temple. Further reasoning behind the placement of “ancient” kudurrus within temple complexes comes from excavation reports at other archaeological sites such as Nippur:

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No. 25 Nippur Statue:
“Provenience: Nippur, found in the Northern Temple in locus NT 99 III 1, field no. 3N 402.”\textsuperscript{11}

No. 26 Enna-II Statue:
“Provenience: Nippur, Field no. 6 N 271 – found at SB 76 in fill of the Parthian platform under a temple, built over the Inanna Temple below level II.”\textsuperscript{12}

The original deposition of the Kassite and Post-Kassite kudurrus within temple complexes comes from the above extrapolation from the ancient kudurrus. The above proveniences in comparison to the secondary deposition of many Kassite and Post-Kassite kudurrus, discussed below, indicate the kudurrus’ likely cultic placement within Babylonian culture and this has allowed for interpretations as to their ritual importance. As stated, the “ancient kudurrus” do not follow a universalized pattern by which I am able to generalize the “ancient kudurrus” placement as statically within a temple complex. Rather, the “ancient kudurrus,” written mainly in Akkadian and found in Northern Babylonia, constitute an important acknowledgement of the difference by which land and the sale thereof illustrate micro-socioeconomic change, which has little bearing on the macro-socioeconomic, political, or religious functions of Northern Babylonia. For example, the Sippar Stone was unprovenanced. However, while unfortunate for the original archaeological depositional context, it can be informed by the Nippur Stone, which was found stratigraphically in a temple complex. I chose the Sippar Stone for its relative completeness and discussion of land arrangements. Col ii Lines 13-20 are precisely the use of linguistic utterances that comprise the societal imagining and establishment of borders as related to fields:

\textsuperscript{11} Gelb, Steinkeller, and Whiting, \textit{Earliest Land Tenure Systems}, 90.

\textsuperscript{12} Gelb, Steinkeller, and Whiting, \textit{Earliest Land Tenure Systems}, 91.
This formulaic style of defining field borders is repeated throughout the text referring to separate parcels of land that individuals or parties were purchasing or selling. The text also references the cost of the fields in various currencies and other mediums of exchange that would have been available in Babylonia, which include: silver, barley, and livestock. While the Sippar Stone lacks curse formulae so far as the intact text indicates, the divine evocation in the establishment and maintenance of the boundaries within ancient kudurrus seems limited to what I am coining as “micro-transactions without divine sanctioning.” These micro-transactions are products of a larger system at work through which land is established for certain uses. The Sippar Stone and similar ancient kudurru functioned as a microcosm of larger field and cultural boundaries. Individuals or groups purchasing and selling these parcels of land were not doing so in violation of larger treatises that governed the ownership of land. Thus, any micro-transactions within a

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cosmological geographical location must fit within the accepted use of that land within the gods’/“cult”-ural, institutionally created perimeters. By this I mean that the gods in Northern Babylonia presided over large swaths of land in which micro-transactions carried about the functionality of the city in which the gods resided, thus the concern over the smaller possessions and ultimately the use of the gods’ identifying landscape comes at the cost of the need to establish pseudo-field boundaries in order for the gods’ cosmological ownership of the land to continue to flourish. That flourishing necessitates the belief in the gods, which then necessitates a method of recording so that the gods receive their fee for granting the micro-transactions for the use and fertility of the land purchased or sold. The ancient kudurrus performed a localized expression of land maintenance and accepted use. As legal texts they establish precedent for the permanence of the micro-transactions by which land exchanged human hands. Those stones, possessing culturally imbued agency due to legal necessity, enact the legal standing of the sales, which are based on the depositional location of the stone itself. The location was likely a temple or administrative center, thus the belief and likelihood that there would have been clay copies for each transaction contained in the text makes sense since the stones as indelible objects constitute a reference guide in the case of disputes. This would follow the earlier Code of Hammurabi, then invoking the same style of engagement with the objects’ utterance due to the need to keep a “hard” copy in order to correct and mediate economic, legal, or cultural disputes. While these objects lack divine symbols and pre-date the Code of Hammurabi, ancient kudurrus constitute a critical evolution in linguistic expressions of identity creation through the possession of land and the
establishment of long term claims to that land, indicating a cultural importance of permanence in their relationship to land and, in a larger context, their landscape.

As referenced by the Umma and Lagash conflict tablets, the fields still had divine ownership and were thus protected by the deities whose cosmological physical landscape ownership existed, and then there were the microtransactions through which the society itself, by proxy of divine allowances, could buy and sell land for consumable use provided that they paid the taxes and provided corvée labor that were so integral to Babylonian societal functioning. The ancient kudurru are material culture produced by the societal need to manage landscapes efficiently, which also adheres to the Babylonian cosmological beliefs in landscape stability even through the changing of managerial hands (but not divine hands). The ancient kudurrus reference the various borders of each field transaction, demarcating the landscape at a local level.

Emic-ly, the gods owned the land while the people merely possessed and utilized it. In the etic inverse, the people owned the land and through social constructions of religious significance, created the systems and artifacts to reify the people ownership of the land through the creation and claim to divine sovereign ownership. For the purpose of this thesis, operating under the knowledge that the etic expression of ownership is the metaphysical reality to the post-modernist, it is the fault of the interpreter to discount the emic realities as expressed through the legal, literary, administrative, and religious texts, which indicate a cultural acceptance of divine ownership and sovereignty apart from the creation of the temples. The chicken and the egg conundrum here is which came first: the temple or the god; emic-ly, the god came first, and the people built the temple to maintain and preserve the god’s power. Any etic argument hinges on the assumption that the
indigenous culture was too inept at critical thinking to purposely create those systems of societal construction and social mediation. Thus, the more accurate interpretation holds the available data as canonically accurate to how the indigenous Babylonians would have interacted with the artifacts and thus created the temples, which then necessitated the creation of the kudurrus. While extrapolation about the functionality of the ancient kudurrus may seem to stretch the accuracy and integrity of my interpretation of the epigraphic and archaeological data, I assure you that my analysis comes from a understanding that ancient kudurrus functioned at a local level, while the Babylonian/Kassite/Post-Kassite Kudurrus functioned at a more macro-regional level in order to establish the divine boundaries and reify the divine ownership of the land.

I discussed the later ancient kudurrus in their functionality as a micro-transaction and early iteration of the earlier Babylonian kudurrus. This, however, does not fully inform the argument as to the performative or expressive nature of the ancient kudurrus, but it does when the archaeological in-situ contexts are taken into the interpretative account. Then the cultural agency and the ability to perform, express, and enforce the micro-transactions of land allotments and sales come together into a cohesive unit. The Babylonian kudurru corpus is large, which is why I have only selected excerpts from two kudurrus: Nazi-Maruttas and Enlil-nādin-apli, which will complete this venture into the exegesis of the Babylonians’ ability to create and mediate cultural identities as related to the landscape in which their gods preside and in which the populations reside.

The context in which many of the Kassite and Post-Kassite kudurrus were discovered was in secondary deposition at the Elamite city-state of Susa, dated to post-Elamite invasion of Babylonia. The Kassite and Post-Kassite kudurrus were most likely
placed, in their original non-Susa context, in the Shamash Temple complex at Sippar.

Epigraphic evidence indicating ownership and dedication to deities alludes to the kudurru’s placement within cultic complexes:

“the most informative is the British Museum kudurru no. 48, which states at its end of that this stone was NIG.GA 4TU “property of Shamash (of Sippar),” and continues with a brief curse formula.”\(^{14}\)

This interpretation of the kudurru’s original context also comes from Elamite inscriptions, which describe how the Elamites conquered cities and the political changes carried out by the Elamites:

“Ein Großteil der Monumente wurde jedoch erst unter Šutruk-naḫḫunte I., der Kidin-Ḫutran II. auf den Thron folgte und die Dynastie der Šutrukiden begründete, nach Elam verschleppt.\(^{133}\) Er vertrieb Zababa-šuma-iddina (um 1153), den Nachfolger Marduk-apla-iddinas I., Sohn Meli-Šipaks, und setzte seinen Sohn Kutir-Naḫḫunte auf den Babylonsiche Thron.\(^{134}\) Aus seinen elamischen Inschriften wissen wir, dass er u. a. Sippar, Akkade, Opis und Dūr-Kurigalzu plünderte.\(^{135}\) Dies ging sicher mit der Verschleppung der Statue des Maništušu (Sb 47), der Stele des Narām-Sīn (Sb 4), einer Statue aus Ešnunna (Sb 56) und einer weiteren Statue (Sb 61) sowie dem Kudurru (?) MŠ 6 einher, die er anschließend mit seinen eigenen Inschriften versah.\(^{136+15}\)

This illustrates the political climate as well as the logical progression of events that has led Assyriologists and archaeologists in the interpretation of the original depositional context of the Kassite and Post-Kassite kudurru. The Elamites plundered multiple cities including Sippar, Akkade, Opis, and Dūr-Kurigalzu, and when we pair this knowledge with the inscriptions dedicating various stele and kudurru to Babylonian gods, such as Shamash, in Babylonian temples, the reconstruction of original depositional context for many of the stele is clearly of Babylonian origin, not Elamite.\(^{16}\) Therefore, in further


\(^{15}\) Paulus, *Die Babylonischen Kudurru-Inschriften*, 22.

\(^{16}\) Paulus, *Die Babylonischen Kudurru-Inschriften*, 22.
comparison with many of the in-situ ancient kudurrus discovered, such as the one at Nippur, the interpretation for the temple placement of the Kassite and Post-Kassite kudurrus follows logically.

The two sub-groups are similar in that they are both comprised of stone and the texts deal with the societal structuring of land ownership and private property. Ancient kudurrus are largely written on stone tablets in contrast to the Kassite and Post-Kassite kudurrus, which tend to have a conical, almost stele-like appearance. However, for the purposes of this study, the appearance of the kudurrus is a non-sequitur as it is the content and cultural context that will be elucidated and the physical characteristics of the stones in these terms are about as important as race is to an ethnicity demographic survey. However, the compositional medium upon which the kudurrus were made—stone—is highly significant. Stone was rare and expensive in Babylonia. For the kudurrus to be made of stone, they must have been important and permanent fixtures within Babylonian society and were meant to remain both public and divinely protected in perpetuity.

Figure 1. Ancient Kudurru\textsuperscript{18}

Figure 2. Babylonian/Kassite/Post-Kassite Kudurru\textsuperscript{19}


\textsuperscript{19} L. W. King, ed. \textit{Babylonian Boundary-Stones and Memorial-Tablets in the British Museum: Plates} (London: Oxford University Press, 1912).
Issues of which nomenclature is used to classify the kudurrus, as a corpus, have been subject to scholarly debate. The importance of which classification is affixed to the ancient and Kassite kudurrus is trivial for this thesis; however, a brief discussion will be given. For the ancient kudurrus:

“The use of the term ‘kudurru' for these documents is somewhat anachronistic since the word kudurru, meaning ‘boundary stone,’ is not attested before the Middle Babylonian Period.”\(^{20}\)

The issue on etic v. emic terminology used in the classification of the kudurrus is taken up by Kathryn Slanski:

“The term “Babylonian kudurru” is used to distinguish these artifacts from the so-called “ancient kudurrus,” a corpus of older, third millennium stone artifacts from Mesopotamia that deal with land tenure.”

Slanski proposed that a reclassification of the term kudurru should be narû because of the number of emic occurrences of the term within the epigraphic text of the kudurrus/narûs:

“Of the datable inscriptions, 20 include some variation of the expression:

\[ \text{i} \text{lā} \text{nī \ mala \ i-na \ muḫḫi \ narē \ annī \ šumšunu \ zakru…} \]

DINGIR.MEŠ ma-la i-na UGU NA₄ NA.RŪ₄ A an-mi-I [MU.NE].NE zak-ru ar-rat la nap-sū-ri li-ru-ru-šu-m[a]

However many gods whose [name]s are invoked upon this (stone) narû—May they curse him with a curse of no release, and…”

However, this attempt to reclassify and further distinguish the corpus into sub-sections misses the fact that both ancient and Babylonian kudurrus deal directly with land acquisition, definition, and transference. The importance of this attempt at reclassification is merely a cosmetic affixation of a name to objects that provided the same or, at the very least, similar functions within Babylonian culture. Conceptually, any attempt at an emic classification of the kudurrus will be an etic classification because there is no placard stating succinctly and directly what the Babylonians called the kudurru/narû, unlike what we have found in Mesoamerica in which the glyphs state exactly what the artifact is and to whom the artifact belongs to. The Sumerian term narû is a generalized term for stone stele that was already in use in Pre-Sargonic times. This being stated, however, does not adequately justify the complete reclassification of the corpus of Babylonian kudurrus, as the kudurrus deal with the distribution of land rather than the distribution of stones.

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Kudurru have been utilized by scholars in the elucidation of multiple facets of Babylonian society including: economic shifts, societal changes, concepts of private property, religious and cultic activity, labor utilization, commodity pricing, iconographic representations of divinity and royalty, geographical borders, political and social legal precedents, and improved cuneiform translations. The general consensus on kudurru studies is that kudurrus provide significant epigraphical and historical insights into multi-millennia transitions in Babylonian society. Kudurrus have been used in intertextual analysis with biblical parallels, particularly the similarities in the granting of land between the Davidic Covenant and the kudurrus.\(^{23}\) However, for the purpose of this thesis, only a brief overview of the scholarship that has utilized kudurrus in the elucidation of Babylonia will be used.

Art historical analysis is of critical importance to grasping the broader cultural worldview through which artifacts, such as the kudurrus, which contain extensive iconography, are presented. Art historical analysis is further critical to the documentation and correlation of divine symbols with their corresponding deities, which require further epigraphic analysis with early, contemporary, or later texts in which those symbols occur or are explained. Due to my lack of training in the methodological practices of art historical analysis, I will refer to the expertise of others who have discussed the epistemological and hermeneutical merits of such analysis for broader archaeological and cultural understanding. For the purposes of my thesis, I will not enter into the discussion of art historical analysis of the kudurrus or the Stele of the Vultures, with the obvious

exception of how the Stele of the Vultures pertains to the conclusion of the Umma-Lagash conflict. This is enumerated in other epigraphic artifacts, and demonstrates how divine iconography relates to linguistic utterances when expressed upon indelible artifacts, such as those carved in stone. In both cases, the discussion circulates around the existence of divine iconography and the emic cultural awareness that such iconography would have expressed to the Babylonians, who would have engaged with the artifacts. This indicates that the divine iconography provided the functional agency for the artifacts.

As I will illustrate in Chapter Three, the Stele of the Vultures, named for the vultures appearing to devour the armies of Umma, provides the culmination of the dispute between the city-states Umma and Lagash, whose conflict over the fields and land claimed by Ningursu predicated a response by Lagash, who eventually vanquished the armies of Umma. The stele, carved from stone of rather large proportions, provides the concept of permanence. It is a contemporary of the kudurru. By stating the Stele of the Vultures as a contemporary artifact I mean an artifact that it has clear implications as a product of a conflict over a city-states/city-gods boundary. The Stele of the Vultures has been the focus of discussion as one of the earliest known examples of pictorial narratives. Irene Winter discusses the Stele of the Vultures, an original pictorial narrative that discussed both the cosmological workings and actions taken by Eannatum,

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the ensi of Lagash, who had conquered Umma and reestablished the boundary of Ningursu. Winter’s analysis discusses the methodological approach by which art historians can classify the images on the Stele of the Vultures as a narrative. Thus, as a narrative, even as a proto-narrative, the purpose was to express and perform the purpose of both preserving cultural memory of the conflict while also preserving the continued authority of the gods’ cosmological ownership of the disputed land.26 Bendt Alster attempted another reading of the stele but ended up concluding that Winters’ original reading and interpretative conclusions of the iconography were correct. Alster’s contribution to the discussion of the reading of the narrative due to the medium of the artifact would most likely have been “vertical, rather than horizontal.”27

Epigraphically, kudurrus have been utilized by scholars in the elucidation of economic shifts such as the emergence of the privatization of property. Through the “ancient kudurrus” and sale documents, epigraphers have been able to interpret that:

“during the Fara, Pre-Sargonic, and Sargonic periods the “private” ownership of land was considerably more widespread in the north than in the south. … The fact remains, however, that, in spite of its comparative rarity in the south, ‘private’ landed property did exist in the region already in very early times. This raises the question as to the origin of that type of land. Two possible answers may be considered here: either the southern ‘private’ land represented a survival of the familial or communal holdings, which may have theoretically existed there prior to the formation of temple estates, or it was a comparatively late innovation that came into being under the northern influence. … facts favor the assumption that in the south alienable land represented a foreign and rather marginal addition

26 For a full discussion of how the Stele of the Vultures represents a pictorial narrative see Winter, “After the Battle Is Over,” 11-32.

to the temple-estate system, and that its possession was reserved to the city-state’s ruling elite.”

The “ancient kudurrus,” carved on stone, were paired with clay sale documents that indicate amounts and prices paid per *iku* of land, which could be paid in multiple forms of monetary commodities such as the following transaction from the Sippar Stone: one could purchase “x *iku* by dividing the amount of seed in quarts by the standard rate of seeding (30 quarts per *iku*).”

When this is also taken into consideration with the discussions on other cuneiform tablets concerning corvée labor forces in Ur III Mesopotamia, it becomes possible to also reconstruct population estimates of the regions in Sumer demarcated by the “ancient kudurrus.” All of these facets of Mesopotamian economics and societal organization would have been lacking critical data without the utilization of the “ancient kudurrus.”

The reconstruction of legal precedents and socio-political organizational structures of Babylonia would also not have been possible without kudurru studies. These reconstructions have taken multiple epistemological and methodological approaches: art historical, archaeological, and epigraphic will be discussed here. Art historically, Babylonian kudurrus have been given their own typological corpus, but within that typology some loose affiliates should be named for their importance to the socio-political reconstruction of Babylonia: The Code of Hammurabi, and the Obelisk of Manishtushu, both of which are carved and preserved in stone and recovered at Susa, and have comparable interpretations as to the original deposition and context of the Babylonian

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Further art historical analysis has interpreted much of the iconography on Babylonian kudurrus to be divine symbols, which have thus imbued their divinity into the stones making them cultic artifacts. Archaeologically, kudurrus are significant in their depositional discovery, particularly the ancient kudurru of Nippur, which enabled the interpretation of kudurru placement within temple complexes; and those discovered at Susa, which enabled the interpretation of the political climate as well as what constituted as war booty to the Elamites during the sacking of Sippar. Epigraphically, kudurrus enable the reconstruction of political structures through intertextual comparisons of who conducted the land grants in the Babylonian kudurrus: whether it was the king or provincial administrators, related or unrelated to the king. The Obelisk of Manishtushu “deals with the acquisition of eight parcels of land each from several sellers of the same kinship grouping, by the king Manishtushu.”

“This heavy concentration of provinces north of the parallel of Nippur might imply that at this time the southern sections of Babylonia were already thinly populated swamp—a geographical condition well attested in later Assyrian annals. A similar concentration of provinces in the north appears in Kassite kudurrus; and these documents, besides attesting later provinces of Bīt-Pīrī’-Amurru, Bīt-Śīn-magir, Ḫudada, and Nippur ¹, furnish the names of other provinces as well.”

30 Gelb, Steinkeller, and Whiting, *Earliest Land Tenure Systems*, 116


As the cult and temples were considered political factions at this time, as exemplified by Gudea of Lagash who was both Ensi and Priest, the kudurrus’ depositional location within the temple is of prime importance to our ability to interpret how the kudurrus were treated by Babylonians. Current scholarship states that the kudurrus were coated periodically in oil because they “contain the same symbolic formula of driving the cone into the wall and pouring of oil as kudurrus nos. 22-23, cited above.” Nos. 22-23 are the Lummatur Tablet, which at lines 55-56 state that “Ibmud drove this nail into the wall (and) spread oil on the side” and the Lummatur Tablet II, which at lines v. 6-7 states the same.\(^{33}\)

Kudurrus can even give cartographic instructions for the direct recreation of their demarcated boundaries in their land sales and grants. However, I make the stipulation here that it requires the necessary knowledge of canal names, which we simply do not have, as we run into the problem that either archaeologists have not found the relevant data or simply that tablets or building pegs naming the canals do not exist. Unless archaeologists uncover an actual cartographic map labeling the canals between cities, it may remain in the realm of interpretive impossibilities to reconstruct exact cartographic representations of an emic Babylonia.

The objective of this thesis is to discuss the merits of anthropological analysis of kudurrus to gain insight into the kudurrus’ emic existence within Babylonian society in their function and what they meant to the Babylonians. I will accomplish this through the elucidation of several critical post-modern theorists whose concepts are under-utilized in archaeological and epigraphic methodology and epistemology. These concepts, to be

explained in depth below, are: artifactual agency, imagined communities, performance, expression, heteroglossia, dialogic, and utterance.

Agency theory, in regard to artifacts retaining or having been imbued with agency, such as the Actor-Network Theory, will demonstrate through the discussion of post-modern anthropological theory that artifacts possess culturally imbued agency when a culture decides to imbue an object with agency. Actor-Network Theory in archaeological epistemology states that:

“Well-trained archaeologists would be quick to warn for the unwarranted reification of an etic classification: surely the fact that we now describe [kudurru] as a type does not mean that people in the past ascribed any meaning to this type….The real problem is that the standardized picture of [kudurru] communicated to us by typologies…etc. neglects the process by which [kudurru] became such a category, at various times….The problem is that this state of category-ness has come to be regarded as a platonic being, which escapes the contingencies of becoming. As a result of this disconnection from the world, the category also loses its agency in that world, and we are bound to fill our historical accounts with external, decision-making agents to explain what happened to the category. Following such a line, [kudurrus’] production needs to be explained as a conscious economic decision, … and its consumption evokes conscious identity-building people.”

The above excerpt is meant to be understood as the backbone of this thesis’s exegesis on socially constructed geographical boundaries. I will demonstrate that kudurrus possess imbued agency, not intrinsic or cognitive agency—the difference being that an artifact is created by a culture for its use within that culture. Thus, as long as the artifact is utilized within its original context it has a culturally imbued agency and only functions according

to the agency allotted to that artifact. However, another philosophical camp disagrees with the conceptual notion of artifacts possessing agency as:

“some artifacts, depending on the way they are used, have cognitive and moral status, but lack cognitive and moral agency. Whilst artifacts “do” things for and to their users (i.e. they are goal-realisers and have transformative effects on cognition and moral reasoning), using the term “agency” to describe the things artifacts “do” and the effects they have is misleading and inconsistent with traditional notions of agency.”

In the analysis of kudurrus, both ancient and Kassite/Post-Kassite/Babylonian, these arguments misrepresent a universalizing conclusion about whether or not artifacts can have agency. A compromise between these two philosophical camps is my theory that artifacts, as a product of a culture and people, dependent on how the artifacts function emic-ly within that culture, are imbued with a certain degree of agency. The culture is emic-ly aware of the artifacts’ agency and thus the artifacts have cognitive agency so long as the culture utilizes it as such. The removal of the object does not preclude the removal of agency but rather the dormancy of the agency. Artifacts can “do” things in accordance with the former argument, but like our traditional definition of “agency”, this does not preclude the illegitimacy of other ancient cultural conceptualizations of agency.

Thus, inconsistent views on “agency” must be dependent on preliminary concepts of cultural relativism; just as not all people can be said to have agency due to outside influences on the perception of free-will, not all artifacts can be said to have agency in accordance to their use and placement within their original cultural contexts.

In accordance with cultural relativism in the exegesis of socially imbued or constructed concepts, this section is demarcated for discussion of Benedict Anderson. Benedict Anderson, in his book *Imagined Communities*, conceptualized that the nation state is an imagined community devoid of any kinship connections or cultural connections outside of the socially constructed concept of nationality.\footnote{Benedict R. O’G. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 2006).} For the purposes of this thesis, the following definition of imagined communities will be utilized:

“...Gellner makes a comparable point when he rules that ‘Nationalism is not the awakening of nations to self-consciousness: it invents nations where they do not exist.’\footnote{Anderson, *Imagined Communities*, 5-6.} The drawback to this formulation, however, is that Gellner is so anxious to show that nationalism masquerades under false pretenses that he assimilates ‘invention’ to ‘fabrication’ and ‘falsity’, rather than in ‘imagining’ and ‘creation’. In this way he implies that ‘true’ communities exist which can be advantageously juxtaposed to nations. In fact, all communities larger than primordial villages of face-to-face contact (and perhaps even these) are imagined. Communities are to be distinguished, not by their falsity/genuineness, but by the style in which they are imagined.”\footnote{37}

This concept can be theoretically expanded to show that any community outside of biological linkages is a social construct. Even biologically linked individuals, having no shared connection outside of that biological relationship, can hardly be considered a community without any other shared concepts of a group identity. This concept of imagined communities fits into the archaeological theoretical framework two-fold. First, all communities are to some extent socially constructed and thus imagined. Second,
imagined communities create systems to ensure the continued imagining of the imagined community, increasing the communities’ continuity over time.

Mikhail Bakhtin, in *The Problem of Speech Genres and other Essays*, developed several critical concepts for the elucidation of cultural uses of speech through both linguistic speech and metaphysical realities of language. These concepts were: utterance, heteroglossia, dialogic, and intertextuality (a concept coined by other scholars but directly derivative of and accredited to Mikhail Bakhtin):

“Language is realized in the form of individual concrete utterances (oral and written) by participants in the various areas of human activity. These utterances reflect the specific conditions and goals of each such area not only through their content (thematic) and linguistic style, that is, the selection of the lexical, phraseological, and grammatical resources of the language, but above all through their compositional structure. All three of these aspects—thematic content, style, and compositional structure—are inseparable linked to the whole of the utterance and are equally determined by the specific nature of the particular sphere of communication. Each separate utterance is individual, of course, but each sphere in which language is used develops its own relatively stable types of these utterances. … Utterances are not indifferent to one another and are not self-sufficient; they are aware of and mutually reflect one another. These mutual reflections determine their character. Each utterance is filled with echoes and reverberations of other utterances to which it is related by the communality of the sphere of speech communication. … The utterance is filled with dialogic overtones, and they must be taken into account in order to understand fully the style of the utterance. After all, our thought itself—philosophical, scientific, and artistic—is born and shaped in the process of interaction and struggle with others’ thought, and this cannot be reflected in the forms that verbally express our thought as well. … The object, as it were, has already been articulated, disputed, elucidated, and evaluated in various ways. Various viewpoints, world views, and trends cross, converge, and diverge in it. The speaker is not the biblical Adam, dealing only with virgin and still unnamed objects, giving them names for the first time. Simplistic ideas about communication as a logical-psychological basis for the sentence recall this mythical Adam. … The utterance is addressed not only to its own object, but also to others’ speech about it. But still, even the slightest allusion to another’s utterance gives the speech a dialogical turn that cannot be produced by any purely referential theme with its own object.”

In terms of this thesis, the kudurrus will be shown to have two distinct utterances that are a part of the whole utterance: that is, the text and the iconography, which when combined create the utterance of the stone itself. Each utterance and component of an utterance are then engaged in a dialogical heteroglossia(ic) conversation within the kudurru itself and while simultaneously engaged with other engendered cultural utterances are directed at engaging with the utterance of the stone itself. The kudurru, as a form of linguistic speech, is a constructive utterance, which is an utterance that can construct emic cultural normatives and is an active participant in the cultural linguistic construction and demarcation of geo-political boundaries.

In relation to literary critique of epigraphic evidence, Andrea Seri utilizes Julia Kristeva’s expanded Bakhtinian concept of intertextuality in the analysis of ancient texts:39

“Kristeva (1969:146) drew a number of insights from the works of Mikhail Bakhtin and it is often pointed out that his concept of dialogue has played a fundamental role in the development of the idea of intertextuality.”40

Intertextuality is utilized in Seri’s analysis of Enûma eliš with the text of The Laws of Hammurabi, as well as kudurrus:41

“Enûma eliš has abgal diĝir-meš, “sage of the gods” (e.g. Ee III 55, 113), which appears in first-millennium collections of magical texts such as Šurpu (e.g.

40 Seri, “Borrowings to Create Anew,” 90.
IV 98, VIII 88), in certain copies of Maqlû (e.g., PBS ½ 133, rev. 22), and also in Middle Babylonian kudurrus (e.g., BBst pl XXVI iii 13).”

The importance of the emergence of the beginnings of Bakhtinian analysis is crucial to understanding language’s ability to mediate societally imagined geo-political boundaries.

To further literary analysis, I will consider that language’s ability to illuminate social structures comes not entirely from what is said, but how language says what it does. To this effect, I propose a conceptual shift away from what is said and rather include how the discussion of speech genres, when applied to epigraphic analysis of the styles of writing that present themselves on stele, particularly kudurrus, have been classified and framed.

Judith Butler’s book Gender Trouble discusses how gender identity is simultaneously performed and expressed by the individuals whose identity it is:

“In other words, acts, gestures, and desire produce the effect of an internal core or substance, but produce this on the surface of the body, through the play of signifying absences that suggest, but never reveal, the organizing principle of identity as a cause. Such acts, gestures, enactments, generally construed, are performative in the sense that the essence or identity that they otherwise purport to express are fabrications manufactured and sustained through corporeal signs and other discursive means. That the gendered body is performative suggests that it has no ontological status apart from the various acts which constitute its reality.”


In terms for this thesis, cultural landscape demarcation is performed and expressed through the use of language to define and craft cultural identities as related to landscape possession and ownership. By removing the original ethnographic context of gender, the concepts of performance and expression can by utilized to analyze epigraphic and archaeological data. Thus, performance and expression become concepts that illustrate how objects and language are utilized in the mediation of culturally constructed geopolitical landscapes. In broader terms, I will illustrate how performance and expression explicate the systems of societal imagining, through which imagined communities are continually reimagined from within the imagined community.

Prior epigraphic evidence for ancient processes of the establishment of imagined geopolitical boundaries comes from *The Royal Inscriptions of Mesopotamia Early Periods Volume 3/2: Ur III Period: (2112-2004 BC)* by Douglas Frayne, who discussed and provided both transliteration and translation for Ur-Nammu E3/2.1.1.21:

“A cadaster text known from two Old Babylonian tablet copies edited by F. Kraus indicates that Ur-Nammu defined boundaries for the new provinces of this realm. Many of the territories described therein, to judge from the evidence of inscription E3/2.1.1.20 (lines 125-34), were lands that had recently been liberated from Elamite control. In addition to their mention in the Ur-Nammu Law Code, some of the new lands, in particular those in the Diyâlâ region, are named as territories emancipated from the Elamites in inscription E3/2.1.1.29."

The epigraphic evidence states:

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Col. i
13) a-šà-̄nu-muš-da kiri₈-tab.KI-kam
14) ṅu-muš-da-ra
15) KA in-na-gi-in
16) ur.-₉-nammu lugal-e
Col. ii
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1) RI ki-sur-ra-t[a]
2) me-en-i-li-šè
3) á-IM.sa₁₂-di-um-ma-bi
4) me-en-i-li-ta
5) gú-I₁₇.áb-gal ka-I₇
6) DINGIR- ba-ni-šè
7) I₁₇.áb-gal-e û-bal-e
8) ka I₁₇.i-da-um-ma-ta (Text: šè)
9) I₁₇-IM.NI-a-šè
10) á-IM.ulu-bi
11) I₁₇-IM.NI-a-ta
12) NAGAR.BI- šè
13) NAGAR.BI-ta
14) uru-ambar-šè
15) uru ambar-ta
16) ḫur-sag-šè
17) ḫur-sag-ta
18) á-ḫur-sag-gá a-ba-a-šè
19) ḫ-an-za-gár-a-nu-muš-da-šè"⁴⁶

Translation:

"i 13-16) (These are) the field of the god Numušda of Kiritab, Ur-Nammu, the king, determined (the boundary) for the god Numušda.

i 17-31) From the “Tower of the god Numušda” to the “Shrine of the god Numušda”; from the “Shrine of the god Numušda” to the “Tower of the Mountain”; from the “Tower of the Mountain” to the Šer-ussa canal; from the Šer-ussa canal to Ibillum village; from Ibillum village to the abgal canal; from the source of the Ušartum (canal you) go 560 UŠ ( = c. 2,016,000m); (it is) this side of the boundary: its northern side.

ii 1-3) From this side of the boundary to Me-en-ili: its eastern side.

ii 4-10) From Me-en-ili to the bank of the Abgal canal (at) the source of the Ilum-bānī canal; after (you) cross over the Abgal canal: from (Text: to) the source of the Ida’um canal to the Im.NI-a canal: its southern side

ii 11-19) From the IM.NI-a canal to NAGAR.BI; from NAGAR.BI to the “Swamp City”; from “Swamp City” to the “Mountain”; from the “Mountain” to the back side of the “Mountain”; to the “Tower of the god Numušda”:<its western side>."⁴⁷

The above epigraphic evidence clearly illustrates the use of a centralized government demarcating imagined boundaries for their religious deities. Apart from the textual

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evidence, the text itself as an artifact aids in the explication of the kudurru as another means by which Babylonians demarcated imagined space according to geo-political boundaries. The written language enables cultural continuity and the ability to privatize land, which means that outside of the written language, the privatization of land is a meaningless abstract concept without the cultural anchor of an indelible written language. The mere concept of permanence, which is inherent in the writing of the language on stones, indicates the evolution from a loose coalition of culturally similar groups into a coherent culture, which is now initiating a genesis of identity through the demarcation of boundaries.
Chapter II.
Methodological Approach to Theory Application

In order to reconstruct an ancient process of social construction, I will first state the theoretical epistemology from both the post-modern cultural anthropology theory and the processual archaeological theory. To preface the particular problems with utilizing post-modern theory, I will explain how such existential deconstructions are actually archaeologically productive when not utilized to their metaphysical extent. Rather than deconstructing social constructions in the illustration of the existential falsity of societal existence, I will reverse the cognitive process by which scholars can interpret material culture as a product of social constructions in antiquity. This approach will not negate the obvious shortcoming of post-modernism’s cultural, existential nihilism, but it will illuminate that by deconstructing nihilistic deconstructions based on material culture data, material culture can indicate the probable processes of antiquity’s social constructions.

For theoretical background, I will first discuss the post-modern cultural anthropological scholarship of Benedict Anderson and Judith Butler. I will frame the theories in their own terms and then illustrate how I will inverse them in the interpretative reconstruction through artifactual and linguistic analysis. Many of the theories I utilize I will put them in my own words; however, with the post-modern theorists, I will cite much of the source material in an attempt to frame the theories like data, rather than showcase my understanding of the theories. By framing the post-modernist theories as data, I hope to illustrate their ideas in an academically sterile way to parcel the meta-physical shortcomings away from the promising analytical frameworks. Then I will frame the
archaeological theory by giving treatment to both processual and post-processual epistemologies, thereby addressing the potential perils of utilizing post-modern metaphysics in archaeological interpretation. As my research largely hinges on Mikhail Bakhtin’s theoretical concept of linguistic utterances, a definition of utterances in accordance to the original scholarship will be expanded by myself to illustrate beyond Bakhtin’s classification of what an utterance is. To complete the frame work by which I will treat kudurrus is the consideration of the controversy surrounding artifacts and agency, thus situating cultic activity in the discussion of how and if artifacts have agency. My expansion involves a combination of art historical analysis in the consideration that material culture is representative of cultural and artistic worldviews in antiquity and acts similarly to how language is interpreted by those who engage with language both critically and uncritically.

Benedict Anderson’s book *Imagined Communities* critically analyses the social consciousness surrounding nationalism, particularly the formation and maintenance of nationalistic identities that have led to the creation of the modern nation-states’ static boundaries. In Anderson’s definition of what constitutes the nation-state he states that:

“...it is an imagined political community – and imagined as both inherently limited and sovereign....

The nation is imagined as limited because even the largest of them, encompassing perhaps a billion living human beings, has finite, if elastic, boundaries, beyond which lie other nations. No nation imagines itself coterminous with mankind. The most messianic nationalists do not dream of a day when all the members of the human race will join their nation in the way that it was possible, in certain epochs, for, say, Christians to dream of a wholly Christian planet.

It is imagined as sovereign because the concept was born in an age in which Enlightenment and Revolution were destroying the legitimacy of the divinely-ordained, hierarchical dynastic realm. Coming to maturity at a stage of human history when even the most devout adherents of any universal religion were inescapably confronted with the living pluralism.
of such religions, and the allomorphism between each faith’s ontological claims and territorial stretch, nations dream of being free, and, if under God, directly so. The gage and emblem of this freedom is the sovereign state.

Finally, it is imagined as a *community*, because, regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship. Ultimately it is this fraternity that makes it possible, over the past two centuries, for so many millions of people, not so much to kill, as willingly to die for such limited imaginings.”

The importance of Anderson’s deconstruction of the existence and genesis of the nation-state is that the existence of the nation-state comes from collective belief, particularly collective and institutional imagination. Anderson’s conceptualization of nationalistic belief was that the nation-state “is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.” Now, for my argument to retain its epistemological validity while utilizing empirical and non-subjective data for archaeological interpretation, Anderson’s deconstruction of communal consciousness must be broken down if not entirely inverted. Anderson’s argument can be expanded, as it often has been by Arjun Appadurai, who writes that the imagining of a community requires the imagining of the various social constructive processes and procedures by which the community is continuously reimagined. While this is important in the field of cultural anthropology as the processes by which communities are imagined are readily observable and interpretable, the philosophical rabbit hole of the post-modern


epistemology leads to the evitable conclusion that all aspects of the human experience are social constructions. This means that knowledge is a social construction by which any epistemological approach to cultural interpretation has a duality of existence; much like Schrodinger’s cat, it simultaneously exists and does not exist at the same time. An example of this line of reasoning is Anderson’s deconstruction of how the modern nation-state is demarcated by socially imagining communal identities linked to a social belief in the nation-state’s existence. Thus, the nation-state’s existence hinges on socially constructed institutions, like the government, to continue functioning as processes of nationalism’s own reification. Thus, any community that relies on socially constructed institutions of societal construction and communal cohesion fundamentally does not exist. Archaeologically, and really to anyone who values a meaningful existence, we must then conclude that this line of social deconstruction, while useful in the analysis of the process of these social imaginings, must also be proven useful in the interpretation of a productive existence. That is, the material culture that these imagined communities produce are the only remains of those institutions once the people who believed in them are dead. This research aims to illustrate the inverse of Anderson’s deconstruction by which the material culture, particularly how kudurrus and their epigraphic and artistic reliefs indicate toward understanding the processes of socially constructing the institutions of societal construction, mediation, and maintenance. To conclude my commentary of why Anderson as a post-modern scholar has been included in my research, Anderson touched on how communities are meta-physically complex and as his work influenced my research in this previously stated endeavor I deemed it necessary to include him.
Another post-modern theory that needs to be broken down further is Judith Butler’s concepts of the performance and expression of gender identity. Now to place a caveat before I recap her theory, I will not be utilizing Judith Butler’s concepts of performance and expression in terms of gender identity but rather in the expansion of Anderson’s concept of imagined communities and the genesis of the institutions by which the “national” identity is continually maintained through various means of performance and expressions of that national identity. That is to say that, assuming the modern nation state exists as a social construction, the government of the nation-state is an institution of that social construction. Therefore, the job of that government is to perform and express the existence of that national identity through the various existential systems designed to reify the government’s continued functionality, thus reifying the existence of the nation-state. Judith Butler perceives of gender identity as shaped by culture and something that shapes culture. The example that Butler gives when discussing the phenomenon of drag illuminates the complexities of gender identity:

“The discussion of drag that Gender Trouble offers to explain the constructed and performative dimension of gender is not precisely an example of subversion. It world be a mistake to take it as the paradigm of subversive action or, indeed, as a model for political agency. The point is rather different. If one thinks that one sees a man dressed as a woman or a woman dressed as a man, then one takes the first term of each of those perceptions as the “reality” of gender: the gender that is introduced through the simile lacks “reality,” and is taken to constitute an illusory appearance. […] The notion of an original or primary gender identity is often parodied within the cultural practices of drag, cross-dressing, and the sexual stylization of butch/femme identities. Within feminist theory, such parodic identities have been understood to be either degrading to women, in the case of drag and cross-dressing, or an uncritical appropriation of sex-role stereotyping from within the practice of heterosexuality, especially in the case of butch/femme lesbian identities. […] The performance of drag plays upon the distinction between the anatomy of the performer and the gender that is being performed. But we are actually in the presence of thee contingent dimensions of significant corporeality: anatomical sex, gender identity, and gender performance. If the anatomy of the
performer is already distinct from the gender of the performer, and both of those are distinct from the gender of the performance, then the performance suggests a dissonance not only between sex and performance, but sex and gender, and gender and performance. As much as drag creates a unified picture of “woman” (what its critics often oppose), it also reveals the distinctness of those aspects of gendered experience which are falsely naturalized as a unity through the regulatory fiction of heterosexual coherence.**51**

The obvious inquisition that the latter post-modernist deconstruction and exposition of gender identity presents to my research is its relevance to archaeological interpretative methodology. Similarly, the response is one of epistemological relevance to understanding observable cultural constructs through the understanding of how the cultural constructs function as both a product of and producer of those cultural constructs. Butler’s deconstruction of gender identity as linked to cultural and individual performances and expressions of identity is classic existential nihilism, as if identity can be separate from the culture in which that specific identity is defined and understood. For my research I am taking the concepts of performance and expression of identity, and by stripping gender from the definition of those concepts, they become tools for the exegesis of how socially constructed institutions of societal construction function at the individual and institutional level in the creation and mediation of cultural identity which can be reconstructed through the material culture that those institutions leave behind.

Before I dive into deeper theoretical waters, and at risk of being juvenile, I found it important and indeed liberating to organize post-modernism and empirical epistemological stances against each other in a philosophical thought experiment. After the discussion of the thought experiment, I will cite critical scholarship as to the divide

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and reconciliation of archaeological theory in order to frame discussion of the literary theorist Mikhail Bakhtin.

Now to get away briefly from the meta-physical existential argument on the nature of existence, I propose an intellectual exercise based on physics, designed to illustrate the futility of post-modernism’s existential nihilism. First the question in need of answering is: if a tree falls in a forest and if no one is around to hear it, does it make a sound? There are multiple ways of arguing the existence, or lack thereof, of the sound. I will focus on two: the post-modern approach, and the empirical approach. The post-modern approach begins not with the existence of the forest, which, while it could be an entertaining philosophical debate, is not ultimately productive to the true question, which is the existence of the sound of a falling tree. Post-modernism assumes that, for the tree to have made a sound in its state of falling, it must be observed in that state in the verification that the tree did indeed fall and thus emitted a sound that is audible. If no one is around to hear the tree, then obviously the tree never made a sound as even the existential question of the tree’s act of falling must be called into observational questioning. At that point, the tree might never have fallen or even existed to fall; the forest which housed the tree might never have existed. This line of reasoning ultimately hinges on the existence of the observer, particularly an observer of a level of cognition by which the tree’s act of falling and sonic vibrations are defined as and understood as a sound. The problem with this line of reasoning is that existence must be observed in the immediacy of that existence; at the point at which the tree stops falling and the sound waves are no longer vibrating molecules in the air, the existence of that tree’s plight ceases, and it would be as if the tree had not fallen or made a sound because the social
observation of that phenomenon has ceased and thus the phenomenon has ceased. Yet, the problem exists of: did that tree make a sound outside of observation? Now, under post-modern logic, everything that exists only exists in the moment of observation because observation shows a level of cognition by which existence can be socially constructed in the belief of existence. However, outside of cognizant observation: does the tree make a sound? According to post-modernism, the answer is no, but according to empirical argument, the answer is yes. The steps by which empirical argument answers the question of the existence of sound does not start with the existence of the tree or the forest; rather, it begins with the knowledge of how the existence of the tree’s potential energy. The existence of the tree began with gravity, a force that requires no social observation to exist, and yet its existence enables its own social observation. Gravity caused the tree to fall, the potential energy of the tree was converted to kinetic energy, and as the tree impacted with the ground, that kinetic energy was released in the form of sonic waves that rippled through molecules. Now, according to empirical data previously gathered, gravity exists outside of observation or the social construct of the nomenclature of the word “gravity” itself. Does an unobserved tree make a sound? Empirically, the answer is yes because the conditions for sound exist outside of cognizant observation. The post-modern argument falls apart after it utters its first retort because of its insistence on the impermanence of the observation of empirical data. Now, if the post-modernist insists on the impermanence of observational data after the tree fell, then the next step is to ask a question as to the existence of belief. Say that the tree fell, and all records of its kinetic energy have been erased; all the people who might have or might not have observed that tree fall have died. A thousand years later, archaeologists excavate an
industrial timber encampment in which they discover the tree, which was felled and now is in a petrified state. The impermanence of observation at that point is rectified because of the existence of observation. Even with the absence of the human definition of what sound is, sound exists outside of our definition of it; the observation of sound does not negate the existence of physics. Thus, the archaeologists of the future, observing the felled tree, can and should infer that that tree made a sound upon its engagement with gravity. The very argument upon which post-modernism is founded disproves their own epistemological stance; thus, by referencing existential nihilism, their epistemological approach cannot exist as a proof of nihilism, as nihilism must be observed in order to mandate nihilism’s existential non-existence. Basically put, an absence of evidence is not an evidence of absence. What post-modern scholarship brings to the epistemological table is the questioning of the processes by which social constructions are constructed, rather than framing those social constructions’ non-existence.

Archaeological theory has had a rather tremulous past with the constant borrowing of theoretical paradigms from a variety of disciplines to explain differences in material culture from various ancient societies. I would rather not indulge the lengthy and muddled relationship between processual and post-processual archaeological approaches to interpretation—for a full and comprehensive discourse, I refer to Bruce Trigger’s book *A History of Archaeological Thought*—but I will provide each a brief summary of their approach. The root of the conflict stems from epistemological approaches to semiotics. Both post-processual and processual approaches to semiotic interpretation focus on the inevitable goal of original meaning. The post-processual stance is that symbols have meaning that cannot be understood by modern scholarship because the modern scholars
have no ability to project their consciousness into that of the ancient person who would have viewed and understood those symbols emic-ly. However, post-processualists continue this stance by claiming that even at a symbols’ genesis, the first case of that symbol being created, the creators could not have known the meaning of the symbol because of the symbol’s intra-culture subjectivity. This reductionist stance is an ethnocentric stance, which removes cognitive agency from ancient actors’ ability to comprehend and represent their culture in their own cultural terms. Post-processualists, by taking the stance that the ancient person could not have known the meaning of the artifact and thus neither can archaeologists, embrace nihilism, which if taken to its logical extreme is self-depreciating knowledge to the point of knowledge’s non-existence. It is not that material culture does not have meaning, according to post-processualists. It is that post-processualists’ think that everything that humans think and do is subjective, and so think that we can never grasp something’s true meaning because it will always be interpreted through our own biases.

Unfortunately, I have reached into the world of semiotics and from this I must depart and address non-nihilistic approaches to understanding; as, if we hold post-modernism’s epistemological nihilism to be true, then acquiring knowledge is futile because we can never know what we know. William G. Dever, in his most recent book, Beyond the Texts: An Archaeological Portrait of Ancient Israel and Judah, discusses the validity of discerning meaning from textual evidence.

“(1) A text is indeed a construct, as postmodernists insist. But contrary to their notion, a text is a deliberate construct, unless one assumes that the authors were merely doodling or too confused to know what they really thought (which is absurd).

(2) A text, therefore, is an encoded symbol that has a referent, and inherent meaning, even if that meaning is not self-evident. Meaning is not supplied; it is
discerned, at least wherever possible. A text may be only a symbol, but that does not mean that it does not point beyond itself to some reality.\(^5^7\)

(3) A text, however, may have more than one meaning if the author is ambivalent, a careless writer, or intends to obscure rather than to clarify. A text may thus be a form of propaganda (postmodernists world say that it always is). A text can lie; it can deceive or mislead us. That may be due to the author’s intention, the interpreter’s incompetence, or even his or her deliberate ideological manipulation. Nevertheless, there is such a thing as authorial intent, although many postmodernists would deny that. If such were not the case, no rational inquiry or credible conclusions would be possible; the result would indeed be nihilism.

(4) If a text is a construct, of whatever sort, it can and should be deconstructed. But the intent should be not only to reveal its supposed contradictions or to unmask its ideological biases, ultimately to discredit it as believable. The purpose of our interrogation of the text should be rather to reconstruct the text after critical analysis. The intent is to recover its own meaning as far as possible, whatever the interpreter’s ideology may be. It is a truism that absolute objectivity is impossible, but some objectivity is better than none.\(^5^8\) Likewise, to offer some sense of the meaning of a text is better than falling back of the lame declaration that there is none.

(5) Finally, although the meaning of a text is sometimes not transparent and out interpretation is simply a mere translation, we must develop some hermeneutical principles that are promising. But in the end, these are always subjective. There is no alternative: we are the subjects. This is not a counsel of despair, only the recognition that knowledge is a social construct. Claims to knowledge of natural or cultural phenomenon are made possible, however, by appealing to universal human experiences of which we are a part.\(^5^2\)

The fundamental similarity between post-processualism and processualism is the aim of reaching the meaning behind symbols: what do artifacts mean to the people who created them. Now, the difference between them is the concept of archaeology’s ability to parcel through the emic meaning of symbols objectively and accurately. While post-processualists and processualists disagree on whether that is even existentially possible, I propose that what both of these ideological, epistemological, and hermeneutical camps agree on is that it takes social mechanisms to produce the symbols from which meaning

is derived. Thus, a proper compromise between them would be to shift the focus, or end
goal if you will, to the acknowledgement that artifacts are remnants of social constructs
and institutions, designed to produce those artifacts, and thus those artifacts are indicative
as to the operational mechanics of those social constructs and institutions. Thus, the
existence of a true meaning behind symbols can be shifted to an understanding of how
those symbols mean what they do. This is of particular importance in the analysis of
textual evidence as both artifact and primary literary source. The artifact is then the text
and the text is then the artifact, both of which are contingent on the fact that one cannot
exist without the other, and in that existence, have a process by which meaning can be
inferred, particularly that texts can be read and the commonality in that reading is the
mandatory existence of language. This may seem redundant, as why justify the existence
of the text in the first place, but it does indicate that in terms of meaning, however
subjective it may be in its interpretation, no matter how objective an interpreter attempts
to be, the existence of symbols, when viewed together in certain orders and according to
discernable patterns, illustrates the necessary existence of social organization of social
institutions. This continue social construction through the permanence of a written
language by which meaning can be discerned.

This rhetoric brings us logically to modern discussion of how language functions
at its most basic level. In accordance with my discussion of post-modern theories above, I
will establish Bakhtin as a data point for framing my analysis of the kudurrus. I will
utilize Bakhtin’s definitions of speech genres, utterances, dialogic, and heteroglossia,
while I will utilize Charles L. Briggs and Richard Bauman’s definition of intertextuality,
keeping in mind that Bakhtin was the basis for scholarship on intertextuality. For full
discussion please refer to *Speech Genres & Other Late Essays*. Bakhtin’s definition of speech genres is as follows:

“All the diverse areas of human activity involve the use of language. Quite understandable, the nature and forms of this use are just as diverse as are the areas of human activity. This, of course, in no way disaffirms the national unity of language. Language is realized in the form of individual concrete utterances (oral and written) by participants in the various areas of human activity. These utterances reflect the specific conditions and goals of each such area not only through their content (thematic) and linguistic style, that is, the selection of the lexical, phraseological, and grammatical resources of the language, but above all through their compositional structure. All three of these aspects—thematic content, style, and compositional structure—are inseparably linked to the whole of the utterance and are equally determined by the specific nature of the particular sphere of communication. Each separate utterance is individual, of course, but each sphere in which language is used develops its own relatively stable types of theses utterances. These we may call *speech genres*.“\(^5\)

Utterances are the primary concept that I will use in my analysis, and as the primary object in linguistic expression, are critical to epigraphic and art historical analysis.

Utterances have components: intertextuality, heteroglossia and dialogic, which do not necessarily define the concept of the utterance but are aspects in its definition. Due to the complex and interlocking definition of the utterance, I will define the utterance by its function as both a unit of language and as a unit of communication:

“One exchanges utterances that are constructed from language units: words, phrases, and sentences. And an utterance can be constructed both from one sentences and from one word, so to speak, from one speech unit (mainly a rejoinder in dialogue), but this does not transform a language unit into a unit of speech communication.”\(^5\)

Utterances constitute words, phrases, sentences; forms of written and oral communication are also considered utterances. I will expand Bakhtin’s concept of the utterance, not by


expanding its properties as the basic functionality of language, but rather in what is considered language. What I mean is that art, iconography, and pictures are written utterances; just as hieroglyphics are pictorial representations of expression, just as a written sentence expresses authorial intent, cultural background, and ideological worldview, art similarly expresses those utterances. Utterances are always communicated as a part a conversation:

“The expression of an utterance always responds to a greater or lesser degree, that is, it expresses the speaker’s attitude toward others; utterance and not just his attitude toward the object of his utterance. […] The utterance is filled with dialogic overtones, and they must be taken into account in order to understand fully the style of the utterance. After all, our thought itself—philosophical, scientific, and artistic—is born and shaped in the process of interaction and struggle with others’ thought and this cannot but be reflected in the forms that verbally express our thought as well. […]

Each individual utterance is a link in the chain of speech communion. It has clear-cut boundaries that are determined by the change of speech subjects (speakers), but within these boundaries the utterance, like Leibniz’s monad, reflects the speech process, others’ utterances, and, above all, preceding links in the chain (sometimes close and sometimes—in areas of cultural communication—very distant).

The topic of the speaker’s speech, regardless of what this topic may be, does not become the object of speech for the first time in any given utterance; a given speaker is not the first to speak about it. The object, as it were, has already been articulated, disputed, elucidates, and evaluated in various ways. Various viewpoints, world views, and trends cross, converge, and diverge in it. The speaker is not the biblical Adam, dealing only with virgin and still unnamed objects, giving them names for the first time.”

Utterances, due to the dialogical necessity of language, being conversational, in which even when one is speaking to oneself, each utterance is uttered in response to prior utterances. Talking to oneself is still talking. Utterances comprise a heteroglossia of meaning, which is the compounded meaning of each and every utterance uttered.

“Any concrete utterance is a link in the chain of speech communication of a particular sphere. The very boundaries of the utterance are determined by a

change of speech subjects. Utterances are not indifference to one another, and are not self-sufficient; they are aware of and mutually reflect one another. These mutual reflections determine their character. Each utterance is filled with echoes and reverberations of other utterances to which it is related by the communality of the sphere of speech communication. Every utterance must be regarded primarily as a response to preceding utterances of the given sphere (we understand the word “response” here in the broadest sense).”

For the purposes of my research the utterances as described above will be more than adequate, with the caveat that taking this approach to linguistic understanding forebodes a certain slippery slope argument by which any sphere or form of communication is subjective to those communicating and engaging in and with the utterances. This means that as scholars engage with texts, they enter into a conversation with that textual utterance, and through the utterance’s interpretation, particularly with those of an ancient language, much of the cultural context that had originally framed the utterance is lost. However, through intertextuality and archaeology, some of that broader cultural context may be extracted from those ancient textual utterances. Intertextuality is the use of themes, motifs, and other utterances found in other textual sources that are repurposed, reorganized, and otherwise reused in the creation of new original material sources. Charles L. Briggs and Richard Bauman write that “the last 20 years have witnessed a shift in orientation from text to performance […] –to encompass the relationship between linguistic and social or cultural dimensions of a given interaction.” They go on to say that the concept of performance actually does not engage with the text but rather with the social and cultural understanding of the performer—the text cannot perform itself. I


respectfully disagree with this conclusion, as even through the performance, the
performers are engaging in a dialogical heteroglossia of performative expression through
which the play or poem being performed has been performed before. Thus, they are
borrowing intertextual concepts and bodily utterances (body language) and reconstructing
the textual utterance through performative and expressive utterances in both speech,
music, and physical utterances. It is my conclusion that Briggs and Bauman did not go far
enough into intertextuality beyond text or performance, as:

“This Bakhtin was one of the first to replace the static hewing out of texts with
a model where literary structure does not simply exist but is generated in relation to another structure. What allows a dynamic dimension to structuralism is his conception of the “literary word” as an intersection of textual surfaces rather than
a point (a fixed meaning), as a dialogue among several writings: that of the writer, the addressee (or the character), and the contemporary or earlier cultural context. [Kristevea 1980:64-65, emphasis in original]”

While it is important to understand speech genres in terms of intertextuality, it is not a
pretense for generic expansion but rather of generic adaptation, as if one extrapolates the
dtheory far enough, then all actions are utterances, such as me typing up this thesis, which
is then both an utterance in the act itself, and the partially finished or finished product are
utterances. Thus, I am in the act of performing and expressing my academic utterance as I
engage in an academic genre thus entering into multiple epistemological and
methodological conversations though which I utilize quotes, original ideas, and ancient
utterances in the intertextual reconstruction of ancient social institutions of societal
imagining.

Artifactual agency has been a point of contention in archaeological interpretation,
particularly about what can be said about agency in ancient times and agency’s reflection

into modern interpretation even outside of objectively inanimate objects. The issue with artifacts possessing agency is the foundational assumption that only animate objects have agency and beyond that, only cognizant objects, meaning humanity. While this can be left open to debate among biological anthropologists and zoologists, I retain a broader approach, that of agency being relative to those who have it. I mean that, for example, pigs have agency and they express that agency through acting like pigs; humans express agency and that agency is expressed by being human. While both pigs and humans can be said to be in cages, one literal, the other socially constructed, both pigs and humans express agency through their daily interactions with the world around them. I will now discuss some theoretical approaches to artifacts and agency. Richard Heersmink discusses Distributed Cognition and Distributed Morality, which hinges upon the main premise that artifacts lack the ability to think:

“In order for something to have cognitive agency, it must have the capacity to initiate thoughts and mental states such as beliefs, desires, or intentions. Artifacts come into existence through human intentions and agency, but do not have themselves intentions (or other mental states) and thus lack agency, cognitive or otherwise. This is not to say that artifacts are mute or inert objects, they are not. Artifacts “do” things for and to their users: they are active and have transformative effects on the cognitive skills of their users. But using the term “agency” to describe the things artifacts “do” and the effects they have is misleading and conceptually confusing.”

I have a few disagreements with how artifacts are denied agency in accordance with these theories, primarily that it denies human belief in artifactual agency. While the argument stems from artifacts like computers and smartphones, it also includes computers as artifacts by which cognitive processes are recorded like those of a word processor. I am writing currently on a computer and I deny the computer agency while I express my

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59 Heersmink, “Distributed Cognition and Distributed Morality,” 434.
agency through it; however if my culture believed that computers functioned like magic as I cannot see the process by which my words and phrases are released into the cloud for storage or how advertisements are tailored to me by logarithms, then the computer has agency to me. As previously stated in my discussion of post-modernist theories, the problem of cultural relativity is extrapolated to the point of nihilism and yet data must be considered in the treatment of certain artifacts having agency. I am not attempting to say that all artifacts have agency or that all computers are magic, but I am attempting to facilitate the recognition of artifacts possessing agency when cultures and people imbue those artifacts with agency. In order to discuss this further I will now address the Actor-Network theory of artifactual agency. In the Actor-Network theory of artifactual agency, an artifact can possess the ability to reflect agency in a certain socio-cultural setting or network, thus the network’s existence is necessitated by the artifact’s agency.

“What used to be called ‘emic’ is no longer about meanings inside people’s heads, but have become a question of the possibilities for action within a certain socio-material setting.

Conversely, what we sued to think of as ‘etic’ – external classifications of behavioral traits of sigillata – is no longer a neutral analytical tool, but actually says something about past reality and the possibilities for action that it afforded. As a result, if we can make generalized claims about an archaeological type (e.g. all sigillata pots are red, shiny, made with calcareous clays and fired at temperatures exceeding 1000°C), then this is not merely an analytical abstraction, but one facilitated by how sigillata was defined in the past. The archaeological type is this not a culture-historical carrier of cultural meaning, nor a processual scientific means of abstraction, but a specific constellation that tells us something about that type’s possibilities for action in the past – its material agency.”

I have a couple of points about this theory and its use to clarify my position within this theoretical framework. Foremost, emic classifications are impossible without experiencing the culture as it existed, and any classification is scientific and processual in

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60 Van Oyen, “Actor-Network Theory’s Take on Archaeological Types,” 66.
nature. However, emic classification is possible in that we are able to understand the functionality of the artifact in the original culture, thus classifications based on function provide a broader base for material classification based on imbued agency. By imbued agency I mean, the creation of an artifact that engages with the culture and individuals beyond cooking or basic survival skills such as a fornus or a plow. I am indicating that not all artifacts are imbued with agency because not all artifacts exist to maintain the culture’s social systems. Thus, the extent to which one can extrapolate agricultural advancements based on plow typology is classified by how that plow functioned; however the extent to which you can illustrate widespread imperial agricultural cooperation based on plow typologies is lacking in evidence beyond extrapolation. This is the importance of epigraphic records in determining an artifact’s agency. Artifacts possess the agency that is imbued in them by the cultures that created them. Through engagement in the interpretation of artifacts in their contextual relationship to the cultures that created them, interpreters are reimbuing those artifacts with agency; however, that agency will not be the same agency that the cultures originally imbued. Rather, it will be a communicated agency through which interpreters recreate and classify that agency in the form of artifact classification. An example of this is a book. According to post-modernism, the book is not a book, and nor can it be classified as a book due to the interpreter’s emic/etic cultural bias (the “/” indicates that post-modernism rejects any interpretative ability whether the interpreter is in the culture as a native observer or not). Thus, the book cannot have agency due its existential paradox of the interpreter’s ability to understand what a book is. Processual interpretation might not come to the conclusion of the cultural toponym of “book”, thus ignoring the emic/etic classification issue, but
interpreters would be able to conclude that the “book” was, in fact, a text, and texts function as conduits of cultural knowledge and thus possess cultural agency. Texts, having been imbued with cultural knowledge, retain the possibility for that knowledge to be transferred to other people, thus imparting that cultural knowledge and remaining relevant. This functional classification even manages to incorporate what happens to texts that have yet to be discovered or translated, through the potential agency that texts inherently must be un-shelved, discovered, and translated, and are thus able to impart their cultural agency into the human consciousness potentially thousands of years after that language and civilization collapsed. I used the term collapse simply because one cannot claim that because something is unobservable it does not exist; absence of evidence is not evidence of absence. From the former discussion of theories, which I will be expanding upon in my methodology, I plan to refocus archaeological and epigraphic interpretation to analyze how kudurru functioned as agents of cultural knowledge.

What archaeology can do is help define the “what”: “what” being the material culture’s typological and cultural origin according to procedural excavation methodology, as well as various chemical and material analyses that shed light on trade and other forms of human interaction, which can be inferred from the composition of material culture. Archaeology runs into trouble in the attempt to understand antiquity’s social processes that led to the existence of the material culture, or the “why”. The “why” can be enumerated if readily accessible data, particularly epigraphic and art historical data, exists in large enough quantities to lend a proper corpus in order to come to a highly probable interpretation of social systems. The “how”, when it comes to the understanding of the operational mechanics of ancient social systems, is difficult to parcel out, but it is
the aim of this research to understand that. Societies exist but social constructs are what societies produce in order to function. Kudurrrus are a social construct that indicate how societies existed and thus are proof of a society’s existence.

The majority of the evidence utilized in this research will be epigraphic, as it is the most plentiful with regards to the political and social institutions that must have existed in order to maintain a near uniform language. Secondarily, I will discuss the epigraphic evidence in relation to the archaeological evidence of the kudurru, which will include epigraphic evidence. Throughout this analysis, I will indicate that kudurrrus are artifacts that have been imbued with the cultural agency and function to reify the cultural boundaries of the king and city-state to which each kudurru refers. I will utilize epigraphic evidence to reconstruct how the ancient Babylonians used language in order to determine their cultural link to their landscape through both cosmological and socio-political examples of identification with landscape. Then I will show how, through language, identity is performed, and cultural knowledge is expressed. Epigraphic textual evidence and the corresponding material culture can be considered utterances through linguistic definition of communication, both written and oral, and while it may seem counter-intuitive to illustrate linguistic definitions after having already engaged with epigraphic evidence, I do this so as to illustrate the progression of expression through which the people identify with the landscape and then, in order to maintain a continued claim to this landscape identification. Through increased attention to how the kudurrrus functioned in Babylonian society, I hope to reframe discourse concerning artifactual agency to understand how to engage with artifacts that concern societal and cultural
reification; those artifacts have an imbued agency, which reflects the culture of its genesis.
Chapter III.

Data

Boundaries and their limitations in the Mesopotamian landscape comprise of several different formations as to their functionality, and in fact, their lack of functionality when it comes to expanding and maintaining themselves. Even in united Babylonia, cities and their boundaries remained static and it was not until the collapse of the old religious systems that the politics of landscape changed. To address the kudurrus’ ability to conduct landscape maintenance, I will first address the communication pathways that take place in the establishment of boundaries. First the gods communicate with each other; then the gods communicate with the kings (ensis); then the kings communicate with other kings; then the kings communicate with the population through the placement of the kudurrus in temples. This is illustrated primarily through the texts involving a border dispute between the city states of Lagash and Umma. The gods never got involved in the conflicts of men and while men may have fought these incessant battles, the boundaries end up unchanged, as in the cosmological order the boundaries are static. At least those residing in ancient Babylonia do Paul Wheatley proud, in that the order of cosmos is reflected by the socially built landscape on earth and visa versa.\textsuperscript{61} As to who can say who built what when and with what intentions, if the gods are believed to

be real, then the cosmos is real and if the cosmos is real, then the gods’ place in the
landscape has always been there. It is a real chicken-and-egg argument.

Epigraphic Data:
En-metena E1.9.5.1
Col. i
  1) ṃen-līl
  2) lugal-kur-kur-ra
  3) ab-ba-dingir-dingir-ré-ne-ke₄
  4) inim-gi-na-ni-ta
  5) ₄nin- ḫīr-su
  6) ṃšāra-bi
  7) ki e-ne-sur
  8) me-silim
  9) lugal-kiš.KI-ke₄
 10) inim-ṣiṣṭaran(=KA.DI)-na-ta
 11) ēš GÁNA bi-ra
 12) ki-ba na bi-rū
 13) UŠ
 14) ensi-
 15) ūšKÚŠU.KI-ke₄
 16) nam-inim-ma diri-diri-šē
 17) e-ak
 18) na-rū-a-bi
 19) ī-bux/bur₉(PAD)
 20) eden-lagaš(NU₁₁.BUR.LA)KI-šē
 21) i-DU
 22) ṃnin- ḫīr-su
 23) ur-sa ē.līl-lā-ke₄
 24) inim-si-sá-ni-ta
 25) ūšKÚŠU.KI-da
 26) dam-ḥa-ra
 27) e-da-ak
 28) inim-ṇen-līl-lā-ta
 29) sa-šuš-gal bī-šuš
 30) SAHAR.DU₆.TAG₄-bi
 31) Eden-na ki ba-ni-ūs-ūs
 32) ē-an-na-tūm
 33) ēnsi-
 34) lagaš(NU₁₀.BUR.LA).KI
 35) pa-bīl-ga-
36) en-TE.ME-na
37) énsi-
38) lagaš.KI-ka-ke₄
39) en-á-kal-le
40) énsi-
41) ëšKÚŠU.KI-da
42) ki e-da-sur

Col. ii
1) ég-bi i₇-nun-ta
2) gú-eden-na-šè
3) ìb-ta-ni-è
   GÁNA-₄nin- ĝîr-su-ka
   210 ÉŠE (1) BA₇ NINDA.DU
   á-ëš KÚŠU.KI-šè
   mu-tag₄
   GÁNA lugal nu-tuku
4) ég-ba na-rû-a
5) e-me-sar-sar
6) na-rû-a-
7) me-silim-ma
8) ki-bé bî-gi₄
9) eden- ëšKÚŠU.KI-šè
10) nu-dîb
11) im-dub-ba-
12) ₄nin- ĝîr-su-ka
13) nam-nun-da-ki-ĝar-ra
14) bára-₄en-lîl-lá
15) bára-₄nin-ḫur-saḡ-ka
16) bára-₄nin-ĝîr-su-ka
17) bára-₄utu
18) bî-dû
19) še-₄nanše
20) še-₄nin-ĝîr-su-ka
21) l gur₇-am₆
22) lú- ëšKÚŠU.KI-ke₄
23) urs-šè i-kú
24) ku₅-DU ba-ús
25) 144,000 gur₇-gal
26) ba-ku₄
27) bar še-be nu-da-sù-sù-da-ka
28) ur-LUM-ma
29) ensi-
30) ëšKÚŠU.KI-ke₄
31) ég-ki-sur-ra-
32) d'nin-ĝîr-su-ka
33) ég-ki-sur-ra-
34) d'nanše
35) a-e i-mi-è
36) na-rû-a-bé
37) izi ba-sum
38) i-bu₄-bu₄ (or bur₉-bur₉)
39) bâra-RU-a-dingir-ré-ne
40) nam-nun-da-ki-ĝar-ra
41) ab-dû-a
42) i-gul-gul
Col. iii
1) kur-kur e-ma-ḥun
2) ég-ki-sur-ra-
3) d'nin-ĝîr-su-ka-ka
4) e-ma-ta-bal
5) en-an-na-tûm
6) ensî-
7) lagaš(NU₁₀.BUR.LA).KI-ke₄
8) GANÁ-û-ĝig-ga
9) a-ši-GANÁ-d'nin-ĝîr-su-ka-ka
10) giš UR.UR-šèe-da-lá
11) en-TE.ME-na
12) dumu-ki-āģ-
13) en-an-na-tûm-ma-ke₄
14) GÎN.ŠÉ i-ni-sè
15) ur-LUM-ma
16) ba-da-kar
17) šà- ši₄ KÛŠU.KI-šè
18) e-gaz
19) anše-ni ÉREN-60-am₆
20) gu₁-i₇-LUM-ma- ĝîr-nun-ta-ka
21) e-šè-tag₄
22) nam-lû-ulû-ба
23) ĝîri-PAD.DU-bi
24) eden-da e-da-tag₄-tag₄
25) SAĦAR.DU₆.TAG₄-bi
26) ki-5-a
27) i-mi-dub
28) u₄-ba ğl
29) sağa-zabalam.KI-kam
30) ĝîr-su.KI-ta
31) gišKÚŠU.KI-šè
32) ṣêt-dar-ra-a
33) e-DU
34) īl-le
35) nam-ēnsı
36) gišKÚŠU.KI-a
37) šu e-ma-tı
38) ēg-ki-sur-ra-
Col. iv
1) d̄nin-ḡír-su-ka
2) ēg-ki-sur-ra-
3) d̄nanše
4) im-dub-ba-
5) d̄nin-ḡír-su-ka
6) gū-1.īdigna-šè ḡál-la
7) gū-ḡu-ḡír-su.KI-ka
8) nam-nun-da-ki-gar-ra-
9) d̄nin-ḥur-sağ-ka
10) a-e i-mi-ē
11) șe-lagaś.KI 3600 gur7-am6
12) ī-su
13) en-TE.ME-me-na
14) énsı-
15) lagaś.KI-ke4
16) bar-e-ba-ka
17) īl-šè
18) ūf-ḫé-šè-gi4-gi4
19) īl
20) ensı-
21) gišKÚŠU.KI-a
22) a-sā-GANÁ kar-kar
23) níg-NE.RU-du11-du11-ge
24) ēg-ki-sur-ra-
25) d̄nin-ḡír-su-ka
26) ēg-ki-sur-ra-
27) d̄nanše
28) ḡá-kam
29) ī-mi-du11
30) an-ta-sur-ra-ta
31) ē-d̄imgal (=gal:dim)-abzu-ka-šè
32) im ba-ni-e-dē
33) ī-mi-du11
34) d̄en-īf-īl-le

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35) $^d$nin-ḫur-saḡ-ke$_4$
36) nu-na-sum

Col. v
1) en-TE.ME-na
2) énsi-
3) lagaš.KI
4) mu-pà-da-
5) $^d$nin-ĝūr-su-ka-ke$_4$
6) inim-si-sá-$^d$en-lľl-lá-ta
7) inim-si-sá-$^d$nin-ĝūr-su-ka-ta
8) inim-si-sá-$^d$nanše-ta
9) ég-bi 17.idigna-ta
10) i7-nun-šè
11) e-ak
12) nam-nun-da-ki-ĝar-ra
13) úr-bi na$_4$-a mu-na-ni-dû
14) lugal-ki-an-na-āğ-ĝâ-ni
15) $^d$nin-ĝūr-su-ra
16) nin-ki-an-na- āğ-ĝâ-ni
17) $^d$nanše
18) ki-bé mu-na-gi$_4$
19) en-TE.ME-na
20) énsi-
21) lagaš(NU$_{10}$-BUR.LA).KI
22) ġidri-sum-ma-
23) $^d$en-lľl-lá
24) ġeštu-sum-ma-
25) $^d$en-ki-ka
26) šà-pà-da-
27) $^d$nanše
28) énsi-gal-
29) $^d$nin-ĝūr-su-ka
30) lú inim-dingir-ré-ne dab$_3$-ba

Col. vi
1) diĝir-ra-ni
2) $^d$šul-MUŠxPA
3) nam-ti-
4) en-TE.ME-na-ka-šè
5) u$_4$ul-la-šè
6) $^d$nin-ĝūr-su-ra
7) $^d$nanše
8) ḫé-na-ši-DU
9) lú. šišKÚŠU.KI-a
10) ég-ki-sur-ra-
11) d'nin-ĝfr-su-ka-ka
12) e-ki-sur-ra-
13) d'nanše-ka
14) á-zi-šè
15) a-kâ-GANÁ tûm-dè
16) an(ams)-ta-bal-e-da
17) lú- ġiš-KŪŠU.KI ḫè
18) lú-kur-ra ḫè
19) d'en-lîl-le
20) ḫè-ħa-lam-me
21) d'nin-ĝfr-su-ke₄
22) sa-šuš-gal-ni
23) ū-ni-šuš
24) šu-maḥ gir-mah-ni
25) an-ta ḫè-gá-gá
26) nam-lû-ûlu-uru-na
27) šu ū-na-zi
28) šà-uru-na-ka
29) ḫa-ni-gaz-zeₓ(ÂB.ŠÂ.GE)

i 1-3) The god Enlil, king of the lands, father of the gods,
i 4-7) by his authoritative command, demarcated the border between the gods
Ninĝîrsu and Šara.
i 8) Me-sîlim, king of Kiš,
i 9-12 at the command of the god Ištaran stretched the measuring rope on the field
and erected a monument there.
i 16-21) acted arrogantly; he ripped out (or smashed) that monument and marched on
the Eden district of Lagaš.
i 22-23) The god Ninĝîrsu, warrior of the god Enlil,
i 24-27) at his (Enlil’s) just command, did battle with Giša (Umma).
i 28-29) At the god Enlil’s command, he cast the great battle-net upon it,
i 30-31) and set up its burial tumuli (honouring his dead) in the Eden (district).
i 32-38) E-anatum, ruler of Lagaš, uncle of Enmetena, ruler of Lagaš,
i 39-42) demarcated the border with En-akale, ruler of (G’iša (Umma).

ii 1-2) He led off the (boundary) channel from the Nun canal to the Gu’edena distuct,
ii 3) leaving a 215 nindan (1290m) (strip) of Ninĝîrsu’s land under the control of Ġiša
(Umma) and establishing a no-man’s land there.
ii 4-10) He inscribed (and erected) monuments at that (boundary) dike and restored
the monument of Me-sîlim, but did not cross into the Eden (district) of Ġiša (Umma).
ii 11-18) On the boundary-levee of the god Ninĝîrsu (called) Namun-kiḫara, he built a
chapel of the god Enlil, a chapel of the goddess Ninḫursaḡ, a chapel of the god
Ninĝîrsu, and a chapel of the god Utu.
ii 19-23) The leader of Ĝiša (Umma) could exploit 1 gur (5184 hl.) of the barley of the goddess Nanše and the barley of the god Ningirsu as an (interest-) bearing loan.
ii 24-26) It bore interest, and 8,640,000 guru (44,789,760,000 hl.) accrued.
ii 27) Since he was unable to repay that barley,
ii 28-35) Ur-LUM-ma ruler of Ĝiša (Umma), diverted water from the boundary dike of the god Ningirsu and the boundary dike of the goddess Nanše.
ii 36-38) He set fire to their monuments and ripped them out (or smashed them).
ii 39-42) and destroyed the dedicated(?) chapels of the gods that were built on the (boundary-levee called) Namnunda-kiğara.
iii 1-4) He hired the (people) of the foreign lands (as mercenaries) and transgressed the boundary dike of the god Ningirsu from above (i.e., from the north)
iii 5-10) En-anatum, ruler of Lagaš, fought with him in the Ugiga-field, the field of the god Ningirsu.
iii 11-14) En-metena, beloved son of En-anatum, defeated him.
iii 15-18) Ur-LUM-ma escaped, but was killed in Ĝiša (Umma) itself.
iii 19-24) His asses – there were sixty teams(?) of them – he abandoned on the bank of the LUM-ma-ĝiğunta canal, and left the bones of their personnel strewn over the Eden district.
iii 25-27) He (En-metena) heaped up there tumuli (honoring his own casualties) in five places.
iii 28-33) At that time, Il, who was the temple-estate administrator at Zabala, marched in retreat from Ĝirsu to Ĝiša (Umma)
iii 34-37) He took the rulership of Ĝiša (Umma) for himself.
iii 38 – iv 3) He diverted water from the boundary dike of the god Ningirsu and the boundary dike of Nanše
iv 4-10) at the boundary levee of Ningirsu in the direction of the bank of the Tigris in the region of Ĝirsu, the Namnunda-kiğara of Enlil, Enki, and Ninlursağ.
iv 11-12) He repaid(?) (only) 3600 guru (IX,662,400 hl.) of Lagaš’s barley.
iv 13-18) When, because of those (boundary-) channels, En-metena, ruler of Lagaš, sent envoys to Il, ruler of Ĝiša (Umma),
iv 19-23) Il, ruler of Ĝiša (Umma), the field thief, speaking hostilely, said:
iv 24-29) “The boundary dike of the god Ningirsu and the boundary dike of the goddess Nanše are mine!
iv 30-33) I will dry them up from (the town of) Antasur (‘[Northern(?)] Boundary’) (as far as) the temple of Dimgal-abzu (‘Mast of the Sweet Water Source’),” he said.
iv 34-36) But the god Enlil and the goddess Ninlursağ did not allow him (to do) this.
v 1-3) En-metena, ruler of Lagaš,
v 4-5) nominee of the god Ningirsu,
v 6-8) at the just command of the god Enlil, at the just command of the god Ningirsu, and at the just command of the goddess Nanše,
v 9-11) constructed that (boundary) dike from the Tigris River to the Nun canal.
v 12-13) He built the foundations of the Namnunda-kiğara for him (the god Ningirsu) out of stone,
v 14-18 restoring it for the master who loves him, the god Ningirsu, and for the mistress who loves him, the goddess Nanše.
v 19-21) En-metena, ruler of Lagaš,
v 22-23) granted the scepter by the god Enlil,
v 24-25) granted wisdom by the god Enki,
v 26-29) chief ruler for the god Ningirsu,
v 30) who realizes the commands of the gods –
vi 1-8) may his personal god, Šul-Muššipa, forever stand (interceding) before the god Ningirsu and the goddess Nanše for the life of En-metena!
vi 9-16) If the leader of Ġiša (Umma) crosses over the boundary dike of the god Ningirsu and the boundary dike of the goddess Nanše, to take away field by force, vi 17-18) – whether he be the leader of Ġiša (Umma) or any other leader –
vi 19-20) may the god Enlil destroy him!
vi 21-25) May the god Ningirsu, after casting his great battle-net upon him, bring down upon him his giant hands and feet!
vi 26-29) May the people of his own city, after rising up against him, kill him there within his (own) city!^{62}

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Giša-kidu E1.12.6.2.
Col. i
1) u₄ dšāra
2) d-en-līl-ra
3) ara₅(DU)-'zuzu₄-dšā-ga
4) e-na-du₁₁-ga
5) e-na-gin-na
6) gi₆(GIŠ)-šā-dī-du₁₀ sipa ki-āg-ğá
7) dšāra
8) a tx₁-šē/tu-da₁
9) nir-gál/ sag-ḥuš-ki-en-gi-ke₄
10) gaba-gál nu-gi₄ kur-kur-ra-ke₄
11) en-zā-kešda-nin-ur₄-ke₄
12) ama-ša-kūš-en-ki-ka-ke₄
13) ku-li-ki-āğ-
14) dištaran(KA.DI)-ke₄
15) énsi-kala-ga-
16) d-en-līl-lá-ke₄
17) lugal mu-pà-dinanna-ke₄
18) ég-bi mu-ak
19) na-bi mu-rú
20) im-dub-ba-bi
21) pa e-mi-ê
22) na-rú-a-bi
23) ki-bé bi-gi₄
24) [x] tx¹ [(x)] tx¹
25) 'x x' [...]²
26) zā-na-rú-[a]-dšāra-[kam]
27) i₇-[AL-(x)]-t[a]
28) i₇(Text: A)-DU₈-a-[şı]
29) 45 NINDA.D[U]
30) zā-na-rú-[a]-dšár[a-kam]
31) ri₇-[DU₈-a-ta]
32) KA(?)-...-şê
33) [x NINDA.DU]
34) [zā-na-rú-a-dšāra-[kam]
35) [KA(?)-...-ta]
36) [ḪAR-AL-şê]
37) [x NINDA.DU]
38) Ḥz₃-na-rú-a-źnišāra-[kam]
39) ḤAR-AL-t[a]
40) bàd(Text: EZEN×U)-³-da³
41) ANŠE.du₂₄(DUN)-ùr-gá-ra-š[è]
42) 390 NINDA.[DU]
43) 'zà³-na-rú-a-³şára-kam
44) 10 bàd-'da`
45) ANŠE.du₂₄(DUN)-ùr-gá-ra-³ta³
46) nag-³nanše-šè
47) 636 NINDA.³DU³
48) zà-na-rú-³a³- šára-kam
49) nag-³nanše-ta
50) i³-gibil-šè
51) 1 200-lá-20 NINDA.DU
52) zà-na-rú-a-³şára-kam
53) i³-gibil-ta
54) é-³dimgal(GAL:DIM)-abzu-ka-šè
55) 960 NINDA.³DU³
56) z[à-na-rú-a-³şára-kam]
57) é-[³di]mgal-abz[u]-ka-ta
58) mur-³gu³-{³r³šára³-šè
59) 790 NINDA.DU
60) [z]à-na-rú-a-³³šára-kam
61) [mur]-³gu³-{³³šára³-šè
62) […]-³r³³i³štaran-šè
63) [x NI]NINDA.³DU³
64) [zà-n]a-rú-a-³³šára-kam
65) […]³³i³štaran(KA.DI)-[t]a
66) [an-za]-gàr-šè
67) [6000(?)+6]80 NINDA.DU
68) [zà-n]a-rú-a-³³šára-kam
69) [an-za]-gàr-ta
70) [GN-šè]
71) [x NINDA.DU]
72) Lacuna of five lines.(72-76)
73)
74)
75)
76)
77) 'im-dub³-[ba]-bè
78) nu-ni-³dib³
79) na-rú-a-bi
80) ki-bè bi-gì⁴
81) inim-³³i³štaran(KA.DI)-ta
When the god Šara spoke to the god Enlil the prayers gathered together in (his) heart, and proceeded to him, (then) Ġiša-kidu, shepherd beloved of the god Šara born to …, preeminent one, fearsome head of the land of Sumer, who has no rival in all the lands, en-priest attached to the side of the goddess Nin-ur, who is counselled in a motherly fashion by Enki, the beloved friend of the god Ištarān, the mighty ruler for the god Enlil, the king chosen by the goddess Inanna, constructed its (the boundary’s) dyke, erected its monument, made its levee preeminent, and restored its monuments. This is the frontier according to the monument of the god Šara: fr[om] the Al-canal [to] the Dua-canal is 45 nind[an] (270 m). This is the frontier according to the monument of the god Šara: [from the Dua]-can[l to … is x nindan]. This is the frontier according to the monument of the god Šara: from … to  Hạral is x nindan] This is the frontier according to the monument[t of the god Šara]: fr[om] Hạral to the fortress Dur-gara is 21,630 nind[an] (129.78 km). This is the frontier according to the monument of the god Šara: from the fortress Dur-gara to Nag-nanše is 636 nindan (3.816 km). This is the frontier according to the monument of the god Šara: from Nag-Nanše to the Gibil-canal is 1180 nindan (7.08 km). This is the frontier according to the monument of the god Šara: from the Gibil canal to E-dimgalabzu is 960 ninda[n] (5.76 km).
56-59) [This is the] f[rontier according to the monument of the god Šara]: from E-[di]mgalabz[u] to Murgu-Šara is 790 nindan (4.74 km).

60-63) This is the [f]rontier according to the monument of the god Šara: from [Mur]gu-<Šara> to […]-Ištarān is [x n]indan.

64-67) This is the [f]rontier according to the [mo]nument of the god Šara: [f]rom […]-Ištarān to [Anza]gar 1280(?) nindan (7.68).

68-71) This is [the frontier] according to [the m]onument of the god Šara: from [Anza]gar [to … is x nindan].

Lacuna of five lines.

77-78) He did not go beyo[nd] its levee.

79-82) He restored its (former) monuments and, at the god Ištarān’s command, erected a (new) monument on that spot.

83-84) If another leader destroys it there,

85-86) or takes it away and makes off (with it),

87-89) may [his] cit[y], like a place (infested) with harmful snakes, not allow him to hold his head erect!

90-93) May poisonous fangs bite that ruler in his ruined palace.63

Stele of the Vultures:

Iconographic:

Figure 3. Stele of the Vultures

Textual:

The inscription can roughly be subdivided into the following eight sections (cf Sollberger’s subdivision, RIA 3, p. 195; Winter’s 1985, p. 22; Steiner’s 1986a, p. 34):

Obv. i-iv 8: Historical account of the conflict between Lagaš and Umma, from the very beginning until the birth of Eannatum.

Obv. iv 9 – v 19: Eannatum engendered by Ningirsu; nursed by Ninhursag; given kingship (v 15) of Lagaš.

Obv. v 20 – vi 16(+?): Eannatum claims the contested area for himself, referring to old agreements, apparently violated by Umma (?).

64 Alster, “Images and Text on the ‘Stele of the Vultures,’” 1.

67
Obv. vii 12-11: (Perhaps after a short missing dream interpretation [ca. vii 13 – slightly before vii 20]) The battle between Lagaš and Umma, to be subdivided as follows:

Obv. vii 20 – viii 5: Apparently the battle on the mythological level: probably Ninurta’s net is cast (missing), and the [ruler of Umma] killed, and, presumable, [the people] driven away. (Since the continuation is missing, it is not possible to see precisely how this relates to ix 1ff., where further battles are described).

Obv. ix 1 – x 4(?): Eannatum is wounded in a single combat, but nevertheless seems to defeat Umma. (Continuation missing).

Obv. x 12 – xi 4: The border is marked by the erection of a stele, and Gu-edinna restored to Lagaš.

Obv. xi 5 – xi 15: (Mostly broken) A last attempt of Umma to attach Lagaš?

Obv. xi 16 – xvi 11: Temples erected and fields restored to Lagaš.

Obv. xvi 12 – Rev. v 41: The treaty agreed upon with a long curse formula, repeated six times with different divine names: Enlil, Nunnhursaga, Enki, Suen, Utu, Ninki.

Rev. v 42 – x 22: Historical conclusion with a list of the rulers defeated by Eannatum acting on behalf of Ningirsu, commemorated by the erection of a stele.

Rev. x 23-37: Subscript, naming the stele, to be read as a separate “colophon,” perhaps ending in Rev. xi-xii: (Very fragmentary) Final curse formula, warning against violating the stele.\(^1\)

[...]

Obv. ii 22-23: Steible already gives (22) [bar …] (23) [...] I-a-ka; restore probably something like Ent. 28 iv 15-17: bar-e-ba-ka ÍL-še û ã-šè-gi4-gi4-a, “although he had sent envoys to IL because of that grain”; this means that one may attempt to restore a bit more than Cooper 1986, p. 34, according to whom there are “22 cases broken.” Since this refers to the time before Eannatum, the names and verb forms must of course have been different from those of the time of Enmetena. In Ukg. 6 iv 1ff., ÍL is replaced by ur-lum-ma.

Obv. iv 10-17: In iv 10 there is hardly room for [a]-ê4-[an]-na-tûm-[ma]; I therefore suggest (10) ê4-[an]-na-tûm (11) [a šâ-g]a (12) [šu b]a-ni-dug4 (13) [é-an-na-tûm] (14) [a šâ-ga šu dug4-ga] (15) [4šu4-gir-sû-ka-da] (16) [4šu4-gir]-Ê4-[a] (17) mu-da-ḫu, “Eannatum [was engendered in the heart (by Ningirsu)].[Ningir]su rejoiced over [Eannatum who was engendered in the heart by Ningirsu].”

Obv. iv 18-19: (18) [4šinanna (19) DA mu-ni-dib, “(the child = Eannatum) was taken to Ianna (to be held) on her arm”: cf. OIP 99, 327 ii 1-3: lugal-bân-da gal-zu /4šu-nin<sûn>ra DA mu-ni-dib.

Obv. v 15-17: (15) [nam]-lugal (16) [lagaš] (17) e-na-šûm, “he (=Ningirsu) gave him king[ship] [over Lagaš]”: The title lugal was in fact in some
cases used by the Lagaš dynasty, besides énsi. It occurs in I 25, probably of Ur-Nanše; ii 31 of Akurgal.

Obv. v 18-19: (18) [a ša-ga šu dug₄-ga] (19) ₄nin-ḫir-sú]-ka, “[he who was engendered] by [Ningirsu].”

Obv. v 29-32: Perhaps (29) mu mu-ni[sá-am₆] (30) mu ki-[āg-ni?] (31) [₄nin-ḫir-sú-ke₄] (32) [e-ni-sa₄-a-ni] “(after he had been named ’Worthy of the Ibgal of Inanna’, v 26-28), which was his beloved’ name [given to him by Ningirsu, he called Eannatum].” Although this gives an extra line compared to Steible 1982, p. 124, this in itself creates no major problem in view of the uncertainties towards the end of col. v, where hardly anything is preserved.

Obv. vi 5: kur a-n[e]-šè b[é-e / hardly: dug₄-ga], “who claimed the land for himself.”

Obv. vi 6: niḫ-ul-li-a-rda³: Sollberger 1971 translates: “ce (qui fut) de tout temps je proclame!” I take that da simply represents /-ta-ak/, “a thing of ancient times,” that is, ta + genitive.¹⁹

Obv. vi 9-10: (9) umma₄ki (10) me-am₆ i-ḫuŋ, “(the ensi of Umma), where is he recruiting?”²⁰ The translation is suggested by comparison with Ent. 28 iii 1: kur-kur e-ma-ḫuŋ, “(umma) recruited foreign countries (i.e., foreign troops),” compared to Ukg. 6 iv 10-12: umma₄ki e-ma-zi kur-kur-rê šu e-ma-taŋ, “Umma revolted and ‘embellished’ the foreign troops. Since this is said to be “a very old thing” (vi 6) about which Eannatum (vi 4) loudly complains (vi 7), and the cause that led to the following hostilities between Umma and Lagaš, it indicates that the recruiting of foreign troops was considered with the utmost degree of contempt. If this interpretation is justified, it further illustrates how a theme in Eannatum’s stele was schoed and elaborated further in later inscriptions, apparently indicating that it was physically visible to later generations.

Obv. vi 11: lú-da ŠU/DA³ [x], perhaps: “With (other) men . . . ”²¹ For the second part, a meaning like “with (his) men violently’ (or: raiding’) (he devoured the fields of Ningirsu),” may fit. The last preserved sign might as well be ŠU/DA³ as Šu³, and, since DA is consistently used for á in this text, something like ŠU²₄-[zi(-šè)] = *á-zi(-šé), “violently,” might fit.

Obv. vi 12-15: gu-edin-na (13) a skeptiGÁN ki áq (14) ₄nin-ḫir-sú-ka <?> (15) e-da-gu₇-e, “(Umma) (repeatedly?)’ devoted the Guedinna, the beloved field of Ningirsu”: “(repeatedly?)’ is an attempt to render the -da- in the verb form e-da-gu₇-e.²² This interpretation comes close to that of Collberger 1971, pp. 48-49: “Le prince d’Umma, chaque fois qu’avec ses trou[es [...] il aura mange le Gu-edina, le domaine bien-aimé de Nin-Girsu, que (celui-ci) l’abatte!”

There seems to be an allusion to this passage in a later inscription by Enmetena (quoted below), which added a crucial detail seemingly not present here, that is, that Umma, according to an old agreement, was entitled to use the Gu-edinna against interest.²³ The interest is mentioned later in our text, however, since it became part of the peace treaty, with a slightly different wording: xvi 23-
24: a-sà\textsuperscript{d} nin-\textsuperscript{gir-sú-ka} [GUR\textsuperscript{3} i-gu\textsuperscript{?}, “I shall use the field of Ningirsu (only) against interest.” According to Ent.28 ii 19-26, the gú-edin-na was let out to Umma against the payment of an enormous sum of interest. There is also made payment of an enormous sum of interest. There is also made reference to the original agreement, that is, apparently to our stele: še \textsuperscript{d}nanše še d\textsuperscript{d} nin-\textsuperscript{gir-sú-ka l guru\textsuperscript{7}-am\textsubscript{6} lú umma\textsuperscript{bi}-ke\textsubscript{4} ur\textsubscript{5}-šè i-gu ku\textsubscript{5}-râ ba-úš 4 šár\textsuperscript{u} GAL guru\textsuperscript{7}. The man of Umma ate it against interest, the cut-off (yield?) was accumulated, 240 guru\textsuperscript{7} were brought in."\textsuperscript{24} Since the latter is an enormous amount, no wonder that the conditions were obviously felt as humiliating and unjust by Umma. The interpretation of this passage has been much disputed; cf. Cooper 1986, p. 56, n. 6; P. Steinkeller, JESHO 24 (1971) 142, who counted on a yearly rate of 33 1/3 \%; cf. also Steiner 1986b, pp. 231-233.

Obv. vi 16: hé-šub-bé: The most convincing explanation so far is Sollberger’s, quoted above. Similarly Cooper 1986, p. 34: “May he (Ningirsu) strike him down!” Differently Steiner 1986b, p. 225: “(aber) er muß es [scil. Das Guedina] aufgeben.”

Obv. vi 17: [x] AN NÉ [(?)] šár\textsuperscript{1}-ra. Note that this is followed by a double line. I cannot suggest anything constructive here.

Obv. vii 12-14: Restore probably: (12) é-an-na-[t]úm (13) [i-zi ū-sa-ga-ām (14) i-ḫa-luḫ ma-mu-dam], “Eannatum [woke up – after he had slept; he shivered – after he had dreamed].” This restoration is based on Gudea Cylinder A xii 12-13: gú-dé-a i-zi ū-sa-ga-ām / i-ḫa-luḫ ma-mu-dam. These phrases were long echoed in later literary texts, all reflecting the remarkable sentence construction of the original (cf. e.g., B. Alster, Dumuzi’s Dream, p. 88, etc.). If correctly restored here, it implies that Eannatum’s dream ends in vii 11, as already understood by Sollberger, RIA 3, 195; so also Steible 1982, p.11; according to Cooper 1986, p. 34, however the dream ends somewhat later after viii 5. That is unlikely for two reasons, first, that it would be difficult to explain why Eannatum’s name would show up in the middle of the dream, and, second, that more parts of the intervening lines can be restored with some safety from parallels relating to actual battle scenes (cf. below). The dream predict that a kind of emblem (vii 10: NE. DU.GI.UŠ) will be bound (vii 11; ére-kešda) to Eannatum’s forehead (vii 9: saĝ-ki-za). Apparently the message was so evident that no further dream interpretation was needed. A reasonable guess is that this was a kind of victory symbol, and that the preparations for war started immediately afterwards in the following part, now missing (vii ca. 15-19). Alternatively, but less likely, this should have been the dream interpretation. Yet, already in vii 20-23 a battle takes place, with many killed soldiers, followed, apparently, by a description of Ningirsu’s net, cf. below.


Obv. vii 24-30: Restore perhaps something like Ent. 28 vi 21-26: ʰnin-ʰgir-sú-ke\textsubscript{4} sa-šuš-gal-ni ū-ni-šu\textsubscript{4} šu maḥ ʰgiri maḥ-ni an-ta ḫé ġá-ġá nam-lút-ulu eri-na,
“after Ningirsu has cast his enormous hand and his enormous feet upon him from above; after the people – (cont. below).” This fits the continuation of our text viii 1ff., but different verbal prefixes are required here (see below). The mention of Ningirsu’s net would be very suitable here, since it plays a dominating role on the reliefs of the obverse of the stele (also later in the six times repeated curse formula). The battle described here apparently takes place on the mythological level, in contrast to the very realistic battle scene that follows in xi 1ff.

**Obv. viii 1-3:** (1) šu e-na-zi (2) šà umma₃⁻⁰⁻ka (3) ḫ-gaz, “after they had revolted against him, he was killed in the middle of Umma.” This is like the continuation of Ent. 28 vi 27-30: šu ù-na-zi šà eri-na-ka ḫa-ni-gaz-e, “(after the people, cont. from above) have revolted against him, may he be killed in the middle of his city.”²⁵ Note, however, that the Enmetena text is a curse formula referring to the future (ḫa-), whereas our text seemingly refers to the battle that has already taken place. There is therefore no need to restore the same verbal prefixes, in particular since viii 3 clearly has ḫ-gaz, “he was killed,” no ḫa-ni-gaz as the Enmetena text.

**Obv. viii 4-5:** (4) LÁL˟LAGAB.KI = nanga₃⁻¹⁻= nágû, “district.” (5) It is tempting to restore mu-ni-[kar/sar], “he (or, perhaps, rather, the people of Umma?) was/were driven] into the (surrounding) districts,” or similar. After the following lacuna, probably only a new ruler, replacing the one who was killed in viii 3, is left alone to fight with Eannatum (ix 1).

**Obv. ix 4:** Sollberger’s copy misleadingly has ti-ta e-ta-si, followed by Steible. The photograph shows ti-bi e-ta-si, “he broke off that arrow,” which is much more convincing.

**Obv. x 4:** Read: im-ḫul im-ма-dím, “he created an ‘evil wind’. ”

**Obv. xvi 23-25:** (23) a-šà ḫnin-ĝir-sú-ka (24) ŠUR₃⁻¹⁻i-gu₅ (25) e idim-šè na-e,²⁹ “He shall use the fields of Ningirsu (only) against interest: he shall not claim the ditch down to its sources”; Steiner 1986b, p. 233, convincingly argues that the verbs can not be in the first person and translates: “… garantiere ich ihm (=Ningirsuk) für den Graben die Wasserzufuhr.”

**Obv. xvii 12-15:** u₄ an-du (var. a-du) inim an-ĝál (var. a-ĝál).³⁰ “The day has been settled (lit., created/built/made), the word has been made present.” This crucial sentence concluding the six times repeated curse formula has not yet been completely satisfactorily explained, but recently D.O. Edzard has made some important remarks, suggesting that this probably was a quotation of proverbial character.³¹ It occurs in a pre-Sargonic sales document, similarly introducing the retaliations to be expected if someone should violate the conditions agreed upon. The use of the verb dù, lit., “to make/create/built,” is undoubtedly significant, in contrast to, say, u₄ – ḫ/gub, which simply would mean “the day/sun appeared,” or similar. The expression possibly had ritualistic or magical connotations, suggesting that u₄ – ḫ/gub, which simply would mean “the day/sun appeared,” or similar. The expression possibly had ritualistic or magical connotations, suggesting that u₄ an-du means “the day has been created/made” as a special day
to be commemorated by means of the signs visualized on that day. If this is the
case, u₄ – ḫû and inim - ḡāl may refer to the two aspects of the ritualistic
procedure of the treaty respectively: the things done, versus the spoken words, by
means of which the treaty is commemorated. The ritualistic release of the doves
and fish for each of the deities in the six times repeated formula, etc., would then
be the signs by means of which the day was “created” as a special day to be
remembered by both parties.

misses a point already understood by Sollberger 1971, p. 52 (also Cooper 1986, p.
36), that the doves are substituted by fish in the Enki-sequence.

Rev. iii 2 – v 41: The Ninki-passage is remarkable as referring to a lesser
known deity, a snake goddess, as the last in the whole sequence.⁶⁵

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Code of Hammurabi Epilogue:

1) Di-na-a-at
2) Mi-ša-ri-im
3) ša Ḥa-am-mu-ra-bi
4) šar-ru-um li-u-um
5) u-ki-in-nu-ma
6) ma-tam u-sa-am bki-nam
7) u ri-dam bdam-ga-am
8) u-ša-az-bi-tu
9) Ḥa-am-mu-ra-bi
10) Šar-ru-um gi-it bma-lum a-na-ku
11) a-na SAG.GIG
12) ša ilu Bèl biš-ru-kam
13) ri-u-zi-na
14) ilu Marduk i-din-nam
15) u-ul e-gu
16) a-ḫi u-ul ad-di
17) aš-ri šu-ul-mi-im
18) eš-te-i-ši-na-šim
19) pu-uš-ki wa-[aš]-tu-tim
20) u-[pi]-it-ti
21) [u]-si-am u-še-zi bši-na-ši-im
22) i-na kakkim da-an-nim
23) ša ilu ZA.MA(L).MA(L)
24) u ilu Nanā
25) u-ša-at-li-mu-nim
26) i-na egigalim
27) ša ilu EN.KI bi-ši-ma-am
28) i-na li-u-tim
29) ša ilu Marduk bid-di-nam
30) na-ak-ri e-li-iš
31) u ša-ap-li-iš baz-zu-uḥ
32) ga-ab-la-tim ubi-el-li
33) ši-ir ma-tim
34) u-ti-ib
35) ni-ši da-ad-mi
36) a-bu-ur-ri
37) u-šar-be-iš
38) mu-gal-li-tam
39) u-ul u-šar-ši bši-na-ti
40) ilâni rabûti
41) ib-bu-u-nin-ni-ma
42) a-na-ku-ma
43) rē’um mu-ša-al-bli-mu-um
44) ša ḫatṭu-šu
45) i-ša-ra-at
46) ši-li ta-bu-um
47) a-na ali-ia
48) ta-ri-iš
49) i-na ut-li-ia
50) ni-ši māt bŠu-me-er-im
51) u Ak-ka-di-im
52) u-ki-il
53) i-na la-ma-zi-ia
54) aḫ-ḫi-ša
55) i-na šu-ul-mi-im
56) at-tab-ba-al-bši-na-ti
57) i-na ne-me-ki-ia
58) uš-tab-ši-iš bši-na-ti
59) dan-nu-um en-ša-am
60) a-na la ḥa-ba-lim
61) NU.TUK NU.MU.SU
62) šu-te-šu-ri-im
63) i-na KA.DINGER.RA.KI
64) alim ša ilim bu duBēl
65) ri-ši-šu
66) u-ul-lu-u
67) i-na Esagila
68) bîtim ša ki-ma bša-me-e
69) u ir-ši-tim bšišda-šu ki-na
70) di-in ma-tim a-na di-a-nim
71) pu-ru-zí-e ma-tim
72) a-na pa-ra-si-im
73) ḥa-ab-lim šu-te-šu-ri-im
74) a-wa-ti-ia šu-ku-ra-tim
75) i-na na-ru-ia aš-ṭur-ma
76) i-na ma-ḫar šalmi-ia
77) šar mi-ša-ri-im
78) u-ki-in
79) šarrum ša in šar+alim
80) šu-tu-ru a-na-ku
81) a-wa-tu-u-a na-aš-ga
82) li-u-ti ša-ni-nam
83) u-ul i-na(=ša)
84) i-na-ki-be-it duŠamaš
85) da-a-a-nim ra-bi-im
86) ša šamē u īrṣitim
87) mi-ša-zi-ḵam a īr-ši-a
88) i-na Esagila
89) ša a-ra-am-mu bšu-mi i-na da-mi-ḵ-tim
Column XLI.
1) a-na da-ar
2) li-iz-za-ki-ir
3) a-wi-lum ḫa-ab-lum
4) ša a-wa-tam
5) i-ra-aš-šu-u
6) a-na ma-ḥa-ar
7) šalmi-ia bšar mi-ša-ri-im
8) li-il-li-ik ma
9) na-ru-i
10) ša-aṭ-ra-am
11) li-iš-ta-baš-si-ma
12) a-wa-ti-ia
13) šu-ku-ra-tim
14) li-iš-me-ma
15) na-ru-i a-wa-tam
16) li-kal-lim-šu
17) di-in-šu bli-mu-ur
18) li-ib-ba-šu
19) li-na-ab-bi-iš-ma
20) ḫa-am-mu-raq bi
21) be-lum ša ki-ma b-a-bi-im
22) wa-li-di-im
23) a-na ni-ši
24) i-ba-aš-šu-u
25) a-na a-wa-at
26) išu Marduk be-li-šu
27) uš-ta-ak-ti-biš-ma
28) ir-ni-ti išu Marduk
29) e-li-iš
30) u ša-ap-li-iš
31) ik-šu-ud
32) li-ib-bi išu Marduk
33) be-li-šu u-ti-ib
34) u ši-ra-am ta-ba-am
35) a-na ni-ši
36) a-na-da-ar biši-ši-im
37) u ma-tam
38) uš-te-še-ir
39) da-ni-tam
40) li-ik-bi-ma
41) i-na ma-ṭar
42) iluMarduk be-li-ia
43) iluZar-pa-ni-tum
44) be-el-ti-ia
45) i-na li-ib-bi-šu
46) ga-am-ri-im
47) li-ik-ru-ba-am
48) še-du-um b'la-ma-zum
49) ilâni e-ri-bu-ut
50) Esagila
51) libit Esagila
52) i-gi-ir-ri-e
53) ʿumi-ša-am
54) i-na ma-ṭar
55) iluMarduk be-li-ia
56) iluZar-pa-ni-tum
57) be-el-ti-ia
58) li-dam-mi-ku
59) a-na wa-ar-ki
60) a(=ṣa)-at ʿumi
61) a-na ma-ti-ma
62) šarrum ša i-na mâtim
63) ib-ba-aš-šu-u
64) a-wa-a-at
65) mi-ša-ri-im
66) ša i-na na-ru-ia
67) aš-tu-ru li-ṣur
68) di-in ma-tim
69) ša a-di-nu
70) pu-ru-zī-e mâtim
71) ša ap-ru-su
72) a u-na-ak-ki-ir
73) u-zu-ra-ti-ia
74) a u-ša-zī-ik
75) šum-ma a-wi-lum šu-u
76) ta-ši-im-tam i-šu-ma
77) ma-zu šu-te-šu-ra-am b'i-li-i
78) a-na a-wa-a-tim
79) ša i-na na-ru-ia b'aš-tu-ru li-gul-ma
80) ki-ib-ša-am ri-dam
81) di-in mâtim ša a-di-nu
82) pu-ru-zi-e mâtim
83) ša ap-ru-su
84) na-ru-um šu-u
85) li-kal-lim-šu-ma
86) ša-al-ma-at ga-ga-di-šu
87) li-iš-te-še-ir
88) di-in-ši-na li-di—in
89) pu-ru-za-ši-na
90) li-ip-ru-uš
91) i-na ma-ti-šu ra-ga-am
92) u ši-nam li-zu-uḫ
93) ši-ir ni-ši-šu
94) li-ți-ib
95) Ḥa-am-mu-ra-bi
96) šar mi-ša-ri-im
97) ša īluŠamaš ki-na-tim
98) iš-ru-ku-šum a-na-ku
99) a-wa-tu-u-a na-aš-ga
100) ip-še-tu-u-a
101) ša-ni-nam
102) u-ul i-ša-a
103) 1e-la a-na la-ḫa
104) ZI-IM.RI.GA
105) A-na im-ki-im

Col XLII.

1) a-na ta-na-daŠtim šu-ša-a
2) šum-ma a-wi-lum Ššu-u
3) a-na a-wa-ti-ia
4) ša i-na na-ru-ia Šaš-tu-ru
5) i-gul-ma
6) di-ni la u-ša-az-zi-iḳ
7) a-wa-ti-ia la uš-te-pī-el
8) u-zu-ra-ti-ia
9) [left blank or miscounted by editor]
10) la u-na-ki-ir
11) a-wi-lum šu-u
12) ki-ma ia-tı
13) šar mi-ša-ri-im
14) īluŠamaš Ḫaṭṭi-šu
15) li-ir-ri-iḳ
16) ni-ši-šu
17) i-na mi-ša-ri-im Šli-ri
18) šum-ma a-wi-lum Ššu-u
19) a-wa-ti-ia
20) ša i-na na-ru-ia
21) aš-tu-ru
22) la i-gul-ma
23) ir-ri-ti-ia
24) i-me-eš-ma
25) ir-ri-it ili
26) la i-dur-ma
27) di-in a-di-nu
28) up-ta-az-zi-is
29) a-wa-ti-ia
30) uš-te-pi-el
31) u-zu-ra-ti-ia
32) ut-ta-ak-ki-ir
33) šu-mi ša-aṭ-ram
34) ip-ši-it-ma
35) šum-šu iš-ta-dar
36) aš-šum ir-ri-tim bši-na-ti
37) ša-ni-a-am-ma
38) uš-ta-ḥi-iz
39) a-wi-lum šu-u
40) lu šarrum
41) lu bēlum
42) lu pa-te-si
43) u lu a-wi-lu-tum
44) ša šu-ma-am šna-bi-a-at
45) ilum ra-bu-um
46) a-bu ili
47) na-bu-u palī-ia
48) melam šar-ru-tim
49) li-te-ir-šu
50) ḫaṭṭi-šu
51) li-iš-bi-ir
52) ši-ma-ti-šu bli-ru-ur
53) iluBēl be-lum
54) mu-ši-im bši-ma-tim
55) ša ki-be-zu
56) la ut-ta-ka-ru

Epilogue.
Translation.

The righteous laws, which Hammurabi, the wise king, established and (by which) he gave the land stable support and pure government. Hammurabi, the perfect king, am I. I was not careless, nor was I neglectful of the Black-Head people, whose rule
Bel presented and Marduk delivered to me. I provided them with a peaceful country. I opened up difficult barriers and lent them support. With the powerful weapon which Za-má-má and Nana entrusted to me, with the breadth of vision which Ea allotted me, with the might which Marduk gave me, I expelled the enemy to the North and South; I made an end of their raids; I brought health to the land; I made the populace to rest in security; I permitted no one to molest them.

The great gods proclaimed me and I am the guardian governor, whose scepter is righteous and whose beneficent protection is spread over my city. In my bosom I carried the people of the land of Sumer and Akkad; under my protection I brought their brethren into security; in my wisdom I restrained (hid) them; that the strong might not oppose the weak, and that they should give justice to the orphan and the widow, in Babylon, the city whose turrets Anu and Bel raised; in Esagila, the temple whose foundations are firm as heaven and earth, for the pronouncing of judgments in the land, for the rendering of decisions for the land, and for the righting of wrong, my weighty words I have written upon my monument, and in the presence of my image as king of righteousness have I established.

The king, who is pre-eminent among city kings, am I. My words are precious, my wisdom is unrivaled. By the command of Shamash, the great judge of heaven and earth, may I make righteousness to shine forth on the land. By the order of Marduk, my lord, may no one efface my statues, may my name be remembered with favor in Esagila forever. (Col.41.) Let any oppressed man, who has a cause, come before my image as king of righteousness! Let him read the inscription on my monument! Let him give heed to my weighty words! And may my monument enlighten him as to his cause and may he understand his case! May he set his heart at ease! (and his will exclaim): “Hammurabi indeed is a ruler who is like a real father to his people; his has given reverence to the words of Marduk, his lord; his has obtained victory for Marduk in North and South; he has made glad the heart of Marduk, his lord; he has established prosperity for the people for all time and given a pure government to the land.” Let him read the code and pray with a full heart before Marduk, my lord, and Zarpanit, my lady, and may the protecting deities, the gods who enter Esagila, daily in the midst of Esagila look with favor on his wishes (plans) in the presence of Marduk, my lord, and Zarpanit, my lady!

In the days that are yet to come, for all future time, may the king who is in the land observe the words of righteousness which I have written upon my monument! May he not alter the judgements of the land which I have pronounced, or the decisions of the country which I have rendered! May he not efface my statues! If that man have wisdom, if he wish to hive his land good government, let him give attention to the words which I have written upon my monument! And may this monument enlighten him as to procedure and administration, the judgments which I have pronounced, and the decisions which I have rendered for the land! And let his rightly rule this Black-Head people; let him pronounce judgments for them and render for them decisions! Let him root out the wicked and evildoer from his land! Let him promote the welfare of his people!
Hammurabi, the king of righteousness, whom Shamash has endowed with justice, am I. My words are weighty; my deeds are unrivaled ..........(Col. 42) and the bringing to honor.

If that man pay attention to my words which I have written upon my monument, do not efface my judgments, do not overrule my words, and do not alter my statues, then will Shamash prolong that man’s reign, as he has mine, who am king of righteousness, that he may rule his people in righteousness.

If that man do not pay attention to my words which I have written upon my monument; if he forget my curse and do not fear the curse of god: if he abolish the judgements which I have formulated, overrule my words, alter my statues, efface my name written thereon and write his own name; on account of these curses, commission another to do so—as for that man, be he king or lord, or priest-king or commoner, whoever he may be, may the great god, the father of the gods, who has ordained my reign, take from him the glory of this sovereignty, may he break his scepter, and curse his fate!66

The italicization of Column XLII line 9 is of my own insertion due to initial editor or author error.

Enlil-nadin-apli BE I/1 83

obv. 1  [x ŠE.NUMUN] `1` IKU BANEŠ 1 KŪŠ GAL-tu₄
[pān še]-e-ri GŪ IDIGNA
[ Gul-ki]-šár LUGAL KUR A.AB.BA
[ana] `d`NANŠE be-el-ti-šu

5 [ana] pil-ki ip-šu-uk-ma
[ištu?] Gul-ki-šár LUGAL KUR A.AB.BA
EN `d`AG-ku-dūr-ri-URU₃ LUGAL KÁ.DINGIR.RA₇
696 MU.MEŠ ku-um-ma

10 `m`É-kar-ra-BA-šá DUMU `md`É-a-SUM-na
GAR KUR É-`d`30-ma-gir
SAG A.ŠÀ.MEŠ ša É-`d`30-ma-gir
ša KUR A.AB.BA iš-ši-ma
`1` `1²` UŠ ŠE.NUMUN `ik-šu-us-šu-ma

15 a-na NAM ú-te-er `md`AG-MU-SUM-na
É.MAŠ `d`NAMMA `u` `d`NANŠE

rev. 1 
i-na ik-ri-bi zi-ša-gál-li
ma-ḥar LUGAL EN-šu `d`En-līl-SUM-IBILA
iṭ-he-ma ki-a-am iq-bi-šu

20 e-tel-ni¹³ NUN na-a-du GĪR.NITA₂ er!-šu
pa-li-ḫu DINGIR.MEŠ-šu
ša GAŠAN `d`NANŠE DUMU.SAL `d`É-a GAL-ti

mi-sir-ša ul us-sah-ḥa
ku-dur-ra-ša ul ut-tak-kar
i-na-an-na `m`É-kar-ra-BA-šá

GAR KUR É-`md`30-ma-gir

5 mi-sir-ša us-sah-ḥi ku-dūr-ra-ša ut-tak-kir
LUGAL `m` É-kar-ra-BA-šá GAR KUR É-`md`30-ma-gir
`u` `m`É-an-na-MU-SUM-na GAR KUR A.AB.BA
ur-ta ú-ma-`i`-ir-šu-nu-ti-ma
liṭ-ti mas-se-e i-ta-né-e i-ša-lu-ma

10 A.ŠÀ šu-a-tu₄ a-na pil-[kì]-šu ú-ter-ru
Ma-ti-ma a-na ar-kar UD.MEŠ
lu-ú SIPA lu-ú NU.BANDA₂ lu-ú GĪR.NITA₂ a-a-um-[ma]
ša É-`md`30-ma-[gir ú]-ma-ru-ma
zi-kir `d`NAMMA `u` `d`NANŠE i-pal-la-ḫu

15 `d`NAMMA `u` `d`NANŠE GAŠAN.<MEŠ> eš-ta-ra-a-tu
ki-niš lîp-`p`al`-sa-šu-ma
KI `d`É-a ba-an ka-la
Ši-mat T.LA li-ši-ma-šu
MU NĪ.GNA an-ni-i
e te-ṭi-ṭiq i-ta-a

81
e tu-saḫ-ḫi mi-iš-[ra]  
ḪUL-ta ze-er-ma kit-ta ra-’am’

obv. 1 [An x gur (field)], measured (at the rate of) 3 ban (seed grain) to the iku, (reckoned according to) the ‘big cubit’,

2-5 [facing the steppe, bank of the Tigris: [Gulki]šar, king of the Sealand, delimited as the boundary/territory [for] Nanše, his mistress, and

6-8 [since the time] Gulkišar (was) king of the Sealand, (until) Nebuchadnezzar, (was) king of Babylon, 696 years (were passed),\(^\text{14}\) when

9-15 in the fourth year that Enlil-nādin-apli was king, Ekarra-iqišša, son of Ea-iddina, šākin māti of Bīt-Sîn-magir inspected the fields of Bīt-Sîn-magir of the Sealand and trimmed off and returned to the province x (area of the field).\(^\text{15}\) Nabû-šuma-iddina,

16-19 šangû-priest of Namma and Nanše, came with prayer and supplication before the king, his lord, Enlil-nādin-apli, and spoke to him as follows:

20-21 “Our heroic youth, pious prince, wise šakkanakku, on who reveres his gods:

22 Regarding mistress Nanše, eldest daughter of Ea,

rev. 1-2 her border is not disturbed; her kudurru is not removed,

3-5 Now, Ekarra-iqišša, šākin māti of Bīt-Sîn-magir, has disturbed her border, has removed her kudurru.”

6-10 The king instructed Ekarra-iqišša, šākin māti of Bīt-Sîn-magir, and Eanna-šuma-iddina, šākin māti of the Sealand, and when they made inquiries of the descendants of the ‘experts’ familiar with the neighboring (lands), the aforementioned field was restored to its boundary line.

11-14 Whenvsoever in the future, whether aklu, or laputtû, or šakkanakku, or anyone (else) whom Bīt-Sîn-magir might send and (who) would revere the name of Namma and Nanše,

15-20 may Namma and Nanše, mistresses, goddesses, look upon him truly and with Ea, creator of all things, destine for him a destiny of life! Days of old age and years of justice may they give him as a gift!

21-24 The name of this NÍG.NA (is): May you not transgress the borders! May you not disturb the boundary! Despise evil and love truth!\(^\text{67}\)

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Nazi Maruttaš

Ma-ti-ma EGIR UD.MEŠ lu-ú`qi-pu lu-ú LÚ.ḥa-za-an-<nu>
i-na ERIN₂.MEŠ LUGAL ma-la ba-<šu>-ú i-na IM.RI.A
IM.RI.A IM.RI.A šá `il!`-la-am i-na UGU A.ŠÁ GiŠ.ŠUB
DINGIR u LUGAL ú-šal-pa-tu₄ šá ŠEŠ ki-na-ti i-qab-bu-ú na-ra-a!
a-šar la a-ma-rí i-tam-`mi`-ru i-na GIBIL i-qa-mu-ú
šag-ga sak-ka sa-ak-la sa-ma-a nu-a du-ub-bu-ba ú-la-<la>
ú-ša-aš-šu-ú d₁A-n[ú] dEn-líl u dÉ-a arOrat
[l]a ni-ip-šu-ri ma-ru-u[š]-ta li-ru-ru-šu

Whosoever in the future, (someone), either trusted officer, or mayor, (someone) from among the royal troops, as many as there be, from among family, relations, kin by marriage, who would rise up, (who) would violate (what is here commemorated) with regard to the land (and) prebend of god and king, saying his is a brother or comrade, (who) would bury the narȗ where it cannot be seen, (who) would burn (it) with fire, (who) would cause a powerless, half-witted, simple, convictionless, brutish (person), a babbler, a weakling to remove (it)—May Anu, Enlil, and Ea curse him with a malevolent curse of no release! (Nazi-Maruttaš RA 66, 29-36)⁶⁸

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⁶⁸ Slanski, The Babylonian Entitlement Narūs (kudurru), 25.
Chapter IV.
Discussion and Conclusion

Kudurru are products of systems of societal construction and maintenance. This has been left out of the discussion of Bahktinian utterances so far, rather to the success of the analysis, simply because that concept is the only one that needs no further explanation than the definition of the utterance in Chapter One and the theoretical baseline that I set forth in Chapter Two. The first assumption that I must make clear here is that kudurru, while imbued with cultural agency, are produced by people who must have a corresponding cosmological worldview in order for these culturally imbued artifacts to function. The importance of external contextualization for this belief in a cosmological order of the world is of primary importance in any attempt to elucidate artifact functionality. This link between the cosmological and the physical world is explained rather simply in the terminology of several texts documenting a border conflict between the city states of Umma and Lagash:

“The god Enlil, king of the lands, father of the gods, by his authoritative command, demarcated the border between the gods Ningirsu and Sara.”

Textually, the full scope of the documentation of the border conflict is enumerated in Frayne, but the excerpt in the data presentation section goes on to discuss how the gods do not violate each other’s boundaries, while human stewards of the boundaries are likely to do so. In the case of the human violation of the boundary, it is up to the gods’ human

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counterpart, the “ensi,” to enforce the cosmological order on the physical plane, thus rectifying any perceived imbalance in the celestial physical order. The border conflict between Umma and Lagash illustrates the emic cultural importance of a cosmologically linked landscape sovereignty that necessitates social reaction against infractions of such celestial sovereignty. Sovereignty, in the modern sense, did not exist, as divine ordainment of property rights came from the cosmological order, not through socially determined sovereignty. This, however, comes at the understanding that religious cosmology is a social construction, and thus by proxy any sovereignty that city-states possessed was in fact an exercise of social imagination through which that societal boundary and cosmology mediated the other. The Babylonians believed in gods who owned the boundaries and land in the cosmological and material worlds; both were one in the same with the other, thus the people gave culturally imbued agency to the imagined gods to construct and maintain order in the physical/cosmological amalgamate world. One concept is not separate from the other; both must exist simultaneously in the cultural mindset for either concept to function properly.
The Umma-Lagash border dispute also indicates the importance of how the societal link between gods and landscape manifests in artifacts such as kudurrus. The complexities of divine land ownership and the various processes of human interaction with the landscape engender the creation of micro-cosmological ownership. By this I mean that the levees, dikes, canals, et cetera were given toponyms by which divine ownership was assumed.

“iii 38 – iv 3) He diverted water from the boundary dike of the god Ningirsu and the boundary dike of Nanše iv 4-10) at the boundary levee of Ningirsu in the direction of the bank of the Tigris in the region of Girsu, the Namnunda-kiğara of Enlil, Enki, and Ninhursag.”

The epigraphic evidence detailing this conflict between Umma and Lagash are not kudurrus nor are they etched in stone; rather they are clay tablets and cones. This thesis

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70 Frayne, Pre-Sargonic Period, 1: 197.
remains focused on kudurrus as products of a cultural mindset that understands the physical world around the kudurrus as an extension of the cosmological world in which humanity was seen as a steward rather than owner. However, any landscape that was thus altered by humanity for whatever purpose was still seen as having divine ownership and thus linked to the god whose landscape has been altered. In concepts of divine ownership of the land, the purpose of the god in the ownership of that land is to ensure the prosperity of the human population, thus any physical alterations to the land that enable human settlement prosperity are seen as belonging to the god because all alterations are still within the geographical boundaries of that god’s domain. However, in the case of the Umma-Lagash conflict, the issue at hand is not one of human alterations of landscape for survival or prosperity purposes; rather, it was an issue of annexation and the violation of cosmological sovereignty. Consider a scenario in which the land was not under divine ownership. Then, the border violation would have constituted a state sovereignty violation. However, because the violations were inherently divine in nature, then it became a matter of cosmological sovereignty and maintaining cosmological balance—not the needs of Umma or the needs of Lagash, but rather the needs of the gods to maintain their static boundaries and cosmological juxtaposition to and from other city-states with their city gods. This is shown through the interactions and entreating of the gods to go to war on their behalf so that the king of Lagash could restore order and stability to the land. The gods were seen to have granted the ruler of Lagash all the tools and fortitude necessary to defeat the ruler of Umma so as to restore the land to its proper cosmological order. The importance of divine evocation is not to be dismissed, as it clearly is enumerated at the bottom of the excerpt in Chapter Three. One can easily
interpret this evocation as a warning message abundantly similar to the curse formulae on the kudurrus that evoke divine protections and interventions in the case of any potential or future violations and/or violators of the land agreements. The text of this conflict, through its establishment of the proper boundary, also references the erection of various monuments and chapels dedicated to the various deities who were involved in the resolution of the conflict. Cultural continuities between this text and the kudurrus illustrate the primary method through which the inhabitants of Babylonia established their awareness of their place in the geographical world: cosmological ownership. The plain text discusses the beseechment of the gods for the strength to reestablish those static cosmological boundaries, made real through public belief in the cosmological order to the observable universe. Each action by the ruler of Lagash was written in such a way that it indicates that the gods were directly involved through their proxies i.e. En-Metena. The Umma Lagash conflict texts illustrate the strained relationship that city-states and modern nation-states share when their socially imagined societal sovereignty has been impeded upon by other seeming sovereign city-states. Textually, the maintenance and mediation of the socially constructed boundaries take critical power and justification through the evocation of divine semiotics and references that harken to the cosmological legitimacy of Lagash’s claim to the disputed land over Umma’s claim. Simply put, the inability to secularize land ownership takes the place of complex legislation, as any violation of the land’s ownership was seen not as a slight against a population or a people, but rather against the deity/deities to whom the land belonged. It was the resident population’s obligation to reestablish cosmological stability for the benefit of the deity and thus for the benefit of the land to which the deity claims sovereignty. This follows from the earlier
discussion of the cultural concepts of ownership and obligation, and segways neatly into discussion of how the inhabitants of Babylonia would have interacted with the kudurrus.

The Stele of the Vultures is the artifactual bridge between the Code of Hammurabi and the Kassite and Post-Kassite kudurrus. The Stele of the Vultures comprises six original fragments “excavated during the 1880’s at the site of modern Tello, ancient Girsu, a satellite town within the city-state of Lagash in the Early Dynastic period and seat of the deity Ningirsu.”71 A seventh fragment was looted, but later rejoined with the original six at the Louvre.72 The inscriptions upon the stele discuss the conclusion of the Umma-Lagash conflict through a pictorial and textual narrative. As I discussed in Chapters One and Two, utterances are not limited to the verbal but also include non-verbal communication through either body language and even art, which is the basis for the understanding of the representing of identity in art. Deities in Babylonia are often shown on reliefs, either high or low reliefs, and nearly always are represented in a seated position with a horned helmet, when anthropomorphized, or as a symbol, which is meant to indicate their presence. In the case of the Stele of the Vultures, the deities, particularly the god Ningirsu, whose boundary was violated by Umma, are depicted by “the anzu, or Zu-bird—associated with the thunderstorm— […] in early periods.”73

While I will not pretend to understand artistic utterances, the contemporary texts and the textual evidence on the stele itself do anchor the artifact’s genesis to the rule of Eannatum in 2460 B.C.E. Thus, referencing Irene Winter’s analysis of the stele discusses both the

most likely reconstruction of the stele and the most likely reconstruction of the linear narrative expressed by the reliefs. Winter did this through analysis with other stele, which are also read from bottom to top as one would visualize the stele when it is in an elevated position. Utterances are not the only concept that the Stele of the Vultures evokes, including its use of heteroglossia as:

“If, then, we conclude that the reverse of the Stele of the Vultures is a “narrative,” and “historical narrative” at that, while the obverse is not, we must articulate the ways in which the two faces work with one another in the single monument. […] But because it requires prior knowledge to identify the god through his emblems and his association with the accompanying female deity, and a background in mythology to fully understand the visual references, the viewer must control more the “code” for the obverse to be understood.”

The “code” to which Winter refers is in fact the emic perspective that the Babylonians would have had. This places the functionality of the Stele of the Vultures squarely within the emic functionality of the Babylonian cultural experience, which is clearly shown to have been defined by the enforcement of cosmological boundaries. The god Ningursu’s cosmological landscape was protected by Eannatum through his military engagement with Umma, as expressed through both the stele and other contemporary texts. This clearly illustrates that it was the duty of the “ensi” to ensure the stability of the land through direct action. However, the credit for the action that the ensi takes, should the ensi be successful, is given to the god; in the case of the Stele of the Vultures, the credit is given to Ningursu. Thus, to the observer the success of the military campaign was due to the gods’ “direct” involvement in the ensi’s military ability. The Stele of the Vultures serves to reify the divine right that the gods, particularly Ningursu, have to the landscape,


which is seen as both cosmological and earthbound. In this reification, Lagash retains its imagined cosmological borders through the successful rebuffing of Umma, thus affirming Lagash’s cultural identification with the landscape. The performative and expressive aspects of the stele, and the agency with which the residences of Lagash imbued it, all stemmed from Eannatum’s relationship with Ningursu, and Inanna:

**Obv. iv 18-19:** (18) ḍinanna (19) DA mu-ni-dib, “(the child = Eannatum) was taken to Ianna (to be held) on her arm”; cf. OIP 99, 327 ii 1-3: lugal-bān-da gal-zu / ḍlama nin<-sún>-ra DA mu-ni-dīb.

**Obv. v 15-17:** (15) [nam]-lugal (16) [lagaš] (17) e-na-šūm, “he (=Ningirsu) gave him king[ship] [over Lagaš]”; The title lugal was in fact in some cases used by the Lagaš dynasty, besides énsi. It occurs in I 25, probably of Ur-Nanše; ii 31 of Akurgal.

**Obv. v 18-19:** (18) [a šà-ga šu dug₄-ga] (19) ḍnin-ĝir-sú]-ka, “[he who was engendered] by [Ningirsu].”

This only further indicates the intrinsic cultural connection between rulers, gods, and the landscape.

I have only included the Epilogue of the Code of Hammurabi because of the textual relevance to archaeological contextualization of how and where the inhabitants of Babylonia would have interacted with the kudurrus. As discussed in Chapter One, the original deposition of most of the kudurrus was disturbed by the Elamites and they were discovered at Susa. This includes the Code of Hammurabi; however, the textual analysis in the dedicatory aspects of the texts indicates that the Code of Hammurabi belonged in the temple of Shamash, and the Nippur Stone, an ancient kudurru, was found beneath temple strata during excavation. The notion that kudurrus were physical boundary markers is nonsensical, simply because the Elamites would not have wandered the fields

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of Babylonia in search of conical rocks. For the Elamites to have pillaged them from Babylonia, the stones must have been in places of relative importance such as temples and administrative complexes.\textsuperscript{77} Given the secondary deposition of the kudurrus and the divine iconography and epigraphical evocation of various deities, the stones were most likely in temple complexes so that they continued to have divine protection. While the Epilogue of the Code of Hammurabi may not reference directly how the more illiterate masses of Babylonia would have interacted with the text, it does indicate the cultural expectation of an interactive medium:

\begin{quote}
“Let any oppressed man, who has a cause, come before my image as king of righteousness! Let him read the inscription on my monument! Let him give heed to my weighty words! And may my monument enlighten him as to his cause and may he understand his case! May he set his heart at ease!”\textsuperscript{78}
\end{quote}

The layperson who had no knowledge of the law as written by Hammurabi could go to the temple and have the stone read to them by priests or other literate people. The agency that is given to the stones is two-fold, primarily in the manner in which the stone is carved: i.e., the text and iconography itself, through which divine evocation is enabled, imbues the stone with cosmological agency, which was understood at that time as the caché of cultural agency since the secularization of landscapes had not occurred. Secondarily, the stone was given agency through the textual nature of the artifact, not the oral or vocalization of the textual utterance. As the terminology above indicates, the royal agency was given to the stone, so it might serve as a proxy to the physical presence of Hammurabi. In the attempt to deconstruct cultural assumptions about the stele’s

\begin{footnotes}
\item[77] Paulus, \textit{Die Babylonischen Kudurru-Inschriften}, 22.
\end{footnotes}
functionality, I must stress a couple of aspects of how scholars must think of material
culture. Material culture is a product of a culture and the artifact itself becomes
representative of that culture’s worldview as a physical manifestation of that cultural
intent. Through the deconstruction of cultural normatives, scholars understand
commonalities between human interactions; however, these commonalities take on
different forms in different cultures, hence the coining of the term “cultural relativism,”
which has been that mantra of anthropologists for decades. By this I mean to refer to the
logic behind what we can understand about the use of material culture in its culture of
origin, i.e. Babylonia and what we cannot say, which is the use and cultural relevancy,
other than the immediate understanding of “war booty” and certain scholarly debates as
to the removal of standing stones from temples as an act of divine nullification, in
secondary cultural depositional contexts, i.e. the Elamites. The Code of Hammurabi and
the various other stone monuments and kudurrus were uncovered at Susa, but we cannot
say of the functionality or purpose for Babylonian artifacts to be present in an Elamite
city. However, we can state that for those artifacts to be there, they must have been of
significance to the Babylonians for the Elamites to have plundered them from Babylonia.
This means that the artifacts were functionally important to the Babylonians. We cannot
make the same assumption about the functional importance of the Babylonian artifacts to
the Elamites as they were not the culture of original creation and thus the intended
purpose of the artifacts is muted. This brief exercise in extrapolation is crucial to avoid
getting bogged down by assumptions about why the Elamites took the Babylonian
artifacts or how the artifacts were presented in Susa, but merely viewing this as a
reflection of the importance to which the artifacts served functionally in the culture of
original context. If the monuments and artifacts were returned to Babylonia due to their indelible material (i.e., stone), the artifacts would have had the ability to serve the same functionality in Babylonia once again due to the functional context of the kudurrus and the Code of Hammurabi. However, due to the secondary depositional nature of those artifacts, the conclusion of functionality in Elam would be drastically different from that of Babylonia, due to the simple fact that the culturally imbued creative intent has now been removed. This is interpreted by the sheer proliferation of the curse formulae, which can be easily explained as anti-tamper and anti-theft devices that rely on moderate intra-cultural cosmological awareness, otherwise those threats could be seen as diminished or non-existent depending on the literacy or culture of the particular desecrator. Such as it is, the Elamites took the kudurrus and the Code of Hammurabi and retained them, as the divine curses clearly did not restore the artifacts to Babylonia nor did horrible tragedies befall the Elamites immediately following the artifacts’ removal. Thus belief, both individual and communal, is necessary for understanding and enacting the functionality of the artifacts themselves. This is similar to how, when the modern-day epigrapher translates and publishes the text, nothing changes the way in which the artifact currently exists in its functional state. The artifact can no longer enact its culturally imbued agency through its divine iconography or its locational power due to the modern non-existence of that culture and those places of power in which the artifact used to reside. Similarly, the translation of the text does not reestablish the ancient city-states’ boundaries, nor can any modern person claim to be descendants of the recipients of those land grants simply because the institutions of authority who granted those land rights and established those boundaries did so with their culture’s understanding of cosmology and that cosmological
balance to *their* worldview, not *our* worldview. Thus, by deconstructing the ability for artifacts to act upon people and populations, we see that a critical mass of belief and acceptance is required for those artifacts to function, which includes the case of divine agency imbued upon objects dealing with divine ownership and the transfer of the stewardship of that god’s land; that culture must have institutions and people that enable the enforcement of those agreements and curses as the inaction of the gods is never seen as a miracle devoid of human action, but rather an obligation of those in power. The “ensi” reigns as the steward and conduit of the city’s god’s divine will, as demonstrated in the Umma-Lagash texts, when the ruler of Lagash combatted the ruler of Umma for the violation of cosmological geographical boundaries at the behest of the god, for the god, and victorious because of the god. To further illustrate the relevance to the gods and their landscapes I refer readers to the text Šiša-kidu E1.12.6.2. and provide a brief excerpt to service my premise and contextualize my latter conclusion:

“15-16) the mighty ruler for the god Enlil, 17) the king chosen by the goddess Inanna, 18) constructed its (the boundary’s) dyke, 19) erected its monument, 20-21) made its levee preeminent, 22-25) and restored its monuments. 26-29) This is the frontier according to the monument of the god Šara: fr[om] the Al-…-canal [to] the Dua-canal is 45 nind[an] (270 m). 30-33) This is the frontier according to the monum[ent of] the god Šara: [from the Dua]-canal[l to … is x nindan]. 34-37) [This is the frontier according to the monument of the god Šara: from … to Ḥaral is x nindan] 38-42) This is the frontier according to the monument[t of the god Šara]: fr[om] Ḥaral to the fortress Dur-gara is 21,630 nind[an] (129.78 km). 43-47) This is the frontier according to the monument of the god Šara: from the fortress Dur-gara to Nag-nanše is 636 nindan (3.816 km).”

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79 Frayne, *Pre-Sargonic Period*, 1: 373.
It is crucial to understand that, in the event of triumph in the violation of “boundaries”, the cosmological boundaries never changed, as such a violation would be cataclysmic to the retainer of the cosmological order of Babylonia; thus, the most likely interpretation of events turns into a divine agreement about the shared stewardship of the disputed land on the geographical landscape. However, the cosmological identification of that disputed landscape does not change, thus keeping the god’s ultimate ownership of that land intact.

The functionality of artifacts, which includes legal and economic texts (which scholars tend to remove from functional contexts) hinges on the continued existence on the collective cultural belief and identification with those legal and economic texts. The modern colloquialism of “when in Rome do as the Romans do” does and does not apply, because at the point of cultural conversion or assimilation, the economic and legal texts simultaneously apply and do not apply, as while the mass culture may believe, one may not. However, the relevancy of the legal or economic texts has no need for your belief because the mass culture relies on the texts to reify their status as a hegemonic cultural normative; thus, once one allows the legal and economic texts to represent their interests or ideals, then the applicability of those artifacts is absolute.

The agency that is shown to have been culturally imbued within the Code of Hammurabi in the artifact’s linguistic capacity to act in the place of a human being, and the placement of the artifact within culturally imbued complexes of importance such as a temple, indicates the method through which language would have been engaged from person to artifact to person. This is what I am calling “the expressive aspect of artifactual agency” as related to culturally imbued agency. The Code of Hammurabi has a mandate in the Epilogue that states that persons who have inquiries and other assorted legal and
administrative needs come before the statue and read or have the inscription read to them, in the case of an illiterate individual. Because of the wording, which entreats those who engage with the artifact to treat it as one would Hammurabi himself, the artifact is performing Hammurabi’s expression of power and authority. Because every expression of authority and power is conducted through a performance iconography of the Code of Hammurabi, complete with divine symbols and a depiction of Hammurabi himself, this indicates the Code of Hammurabi’s ability through culturally imbued agency, to both perform and express the authority and influence that Hammurabi would have had, had he been present.

Language, and the other mediums through which communication takes place, are not limited to the act of speech nor writing. Language, and the derivatives thereof, are in fact multi-variate, something that Bakhtin does not touch on, but in the realms of cultural communication contexts remain in the field of Anthropology particularly apropos. Methods of communication such as twitches, winks and/or other non-verbal, but no less cultural, means of innuendo communication happen alongside spoken utterances. For utterances, this means that they are culturally subjective and that while the basic mechanics of their functionality remain the same, the methodology behind their communication are distinct. Thus, the utterance of the Code of Hammurabi has a combination of utterances beyond the simple textual utterance inscribed on the stone. It also possesses the cosmological divine utterance of protection from the divine iconography, which is also reified through the epilogue’s curse formula evoking divine

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protections for the stone and afflictions for the would-be iconoclast. While utilizing the textual data to extrapolate non-verbal communications is seemingly a stretch in archaeological interpretation, the validity of the visual utterance beyond the written text is obvious in other material culture (please see the images in Chapter One and Chapter Three for a frame of reference). My intended purpose in including utterances here with my analysis of the Code of Hammurabi’s performance and expression of its agency is to redefine ancient modes and mediums of communication as multi-variate, which include the reification of authority and establishment of legal precedent expanding beyond the edict. This is relatively simplistic in its claim to authorial intent as a speaker would have orated before leaving for public literacy. In the case of the Code of Hammurabi and the kudurrus, the chain of communication claims more permanence in both the establishment of the laws as well as the authority of the medium of expression of the utterance, which comprises of oration, dedication, textual, visual, and cosmological all the while retaining the permanence granted by the material cultures physical medium, stone.

The medium of communicable exchanges does not change from one kudurru to another artifact of similar functionality, like the Code of Hammurabi. The culture and population must interact with the artifacts on the basis that they are linguistic utterances in a triumvirate of forms, which include the text inscribed on the artifact, the iconography (particularly divine iconography), and the combination of the text and iconography inscribed on the stone in the form of a concrete utterance. When taken together, these illustrate the cultural significance in that culture’s basic necessity to establish itself according to its cosmological worldview, which is a social construction designed to
mediate and maintain the continued reimagining of cultural normatives such as geographical boundaries and proper modes in landscape interaction.

For analysis, I have chosen excerpts from Nazi-Marrutaš and Enlil-nādin-apli. I chose these despite their fractured nature because so many of them are formulaic and deal with similar topics. While there are plenty of differences, it is easily assumed under that fact that these were created by different scribes for different people at difference times. Thus, any deviation or differences can be chalked down as cultural, and while an important glimpse into micro-functionality of Babylonia, it is not important for the discussion of artifacts’ functionality within Babylonia, as the mechanics of cultural belief in Babylonia as enumerated above would be similar.

After the above discussion, I have begun to narrow the focus of my analysis onto Babylonian kudurrus. The Umma and Lagash tablet discussion was meant to situate and explain a vivid functional description of active communal imagining as akin to the theoretical discussion of imagined communities as explicated in Chapter Two. The Stele of the Vultures illustrates the continuity between the Umma-Lagash border conflict with its eventual resolution and the establishment of Ningursu’s divine right to the landscape, as well as illustrating art historical analysis’s validation of divine symbols and their connection to deities being of prime importance to the pictorial and textual narrative.

Moving then to the Code of Hammurabi, I meant to extrapolate three key concepts: cultural agency and belief; the functionality of linguistic utterances as products of institutions who rely on communication to engender cultural cohesion over time and geographical space; and the ability for the Code of Hammurabi through its utterances and its culturally imbued agency to perform and express those utterances which seek to
establish, mediate, and maintain legal cultural cohesion at the temple of Shamash and Hammurabi’s imperial holdings. The importance of the intertwined nature of utterances, performance, expression and agency is crucial to even begin to understand how the Code of Hammurabi would have functioned in its original depositional context at the Temple of Shamash. Entering now into the discussion of the kudurrus themselves, I will enter into the discussion of performance and expression, which will incorporate the conceptual expansions of the Umma-Lagash discussion and the Code of Hammurabi discussion to illustrate how the combination of these conceptualizations of cultural identity mediation are necessary for the reconstruction of kudurru functionality within Babylonian society. In addition, I will demonstrate how the epilogue illustrates the method by which artifacts such as the Code of Hammurabi and the kudurrus performed and expressed the utterances so as to engage with the cultures of origin and creation in the establishment and continued imagining of their cosmological worldview as enacted upon the geography and established through treatises and histories such as the Umma-Lagash tablets that documented boundary disputes.

Emic-ly, the gods owned the land while the people merely possessed and utilized it; in the etic inverse, the people owned the land, and through social constructions of religious significance created the systems and artifacts to reify the people’s ownership of the land through the creation and claim to divine sovereign ownership. For the purpose of the thesis, operating under the knowledge that the etic expression of ownership is the metaphysical reality to the post-modernist, it is the fault of the interpreter to discount the emic realities as expressed through the legal, literary, administrative, and religious texts, which indicate a cultural acceptance of divine ownership and sovereignty apart from the
creation of the temples. The chicken and the egg conundrum here is which came first: the temple or the god; emic-ly, the god came first, and the people built the temple to maintain and preserve the god’s power. Any etic argument hinges on the assumption that the indigenous culture is too inept at critical thinking to purposely create those systems of societal construction and social mediation. Thus, the more accurate interpretation holds the available data as canonically accurate to how the indigenous Babylonians would have interacted with the artifacts and thus created the temples, which then necessitated the creation of the kudurrus.

Finally, the monumental moment has come to analyze the Babylonian/Kassite/Post-Kassite kudurrus in their functionality in ancient Babylon. In summary of the former discussion, I addressed the Umma Lagash conflict tablets to establish the concepts of divine ownership of land and that Babylonian city-states had similar conflicts over resources and boundaries that modern nation-states have. The Stele of the Vultures was the artifactual culmination of that conflict, which expressed the immutable divine right deities had to their landscape. Then I considered the Code of Hammurabi and how artifacts as linguistic utterances are culturally imbued with agency and the artifact’s utterance is realized within the culture who engages with the artifact through the artifacts’ ability to perform and express the utterance, which is also a part of the cultural agency imbuenment process. The Babylonian kudurru corpus is large, which is why I have only selected excerpts from two of the artifacts: Nazi-Maruttaš kudurru and the Enlil-nādin-apli, which will complete this venture into the exegesis of the Babylonians’ ability to create and mediate cultural identities as related to the landscape in which their gods preside and in which the populations reside.
The excerpt from Enlil-nādin-apli kudurru that I have selected illustrates the method by which language is utilized to define boundaries and maintain them, as the text refers to the mechanisms by which the kudurru both documents the solution to a boundary dispute but simultaneously establishes and maintains the then reified boundary that the population and the gods must then accept. As to which came first, the god or the temple, see the former discussion as the philosophical contradiction matters little when it comes to the cultural acceptance or understanding of the contradiction as it currently stands (etic-ly) or had currently stood (emic-ly). The communication between the gods and the ensis is such that priests are also vessels for divine communication and thus divine agency, which is to be then enacted upon the population.

“obv. 1 [An x gur (field)], measured (at the rate of) 3 ban (seed grain) to the iku, (reckoned according to) the ‘big cubit’,

2-5 [facing the steppe, bank of the Tigris: [Gulkišar, king of the Sealand, delimited as the boundary/territory [for] Nanše, his mistress, and]

6-8 [since the time] Gulkišar (was) king of the Sealand, (until) Nebuchadnezzar, (was) king of Babylon, 696 years (were passed),\(^{14}\) when

9-15 in the fourth year that Enlil-nādin-apli was king, Ekarra-iqišša, son of Ea-iddina, šākin māti of Bīt-Sîn-magir inspected the fields of Bīt-Sîn-magir of the Sealand and trimmed off and returned to the province x (area of the field).\(^{15}\) Nabū-šuma-iddina, šangû-priest of Namma and Nanše, came with prayer and supplication before the king, his lord, Enlil-nādin-apli, and spoke to him as follows:

20-21 “Our heroic youth, pious prince, wise šakkanakku, on who reveres his gods:

22 Regarding mistress Nanše, eldest daughter of Ea,

rev. 1-2 her border is not disturbed; her kudurru is not removed,

3-5 Now, Ekarra-iqišša, šākin māti of Bīt-Sîn-magir, has disturbed her border, has removed her kudurru.”

6-10 The king instructed Ekarra-iqišša, šākin māti of Bīt-Sîn-magir, and Eanna-šuma-iddina, šākin māti of the Sealand, and when they made inquiries of the descendants of the ‘experts’ familiar with the
neighboring (lands), the aforementioned field was restored to its boundary line.

11-14 Whencever in the future, whether *aklu*, or *laputtu*, or *šakkanakku*, or anyone (else) whom Bīt-Sîn-magir might send and (who) would revere the name of Namma and Nanše,

15-20 may Namma and Nanše, mistresses, goddesses, look upon him truly and with Ea, creator of all things, destine for him a destiny of life! Days of old age and years of justice may they give him as a gift!"

21-24 The name of this **NÍG.NA** (is): May you not transgress the borders! May you not disturb the boundary! Despise evil and love truth!"81

As demonstrated above, the maintenance and assurance that, in the continued existence of boundaries, the gods, kings, priests are all invoked and involved in the situation enumerated in the kudurru; however, the focus is elsewhere. The kudurru is performing and expressing the legality behind the maintenance of this certain border while at the same time is a product of that maintenance. This illustrates that the kudurrus, in their creation, perform the task of ensuring the continual “unchanging” cosmological ownership balance to the physiological landscape at the microtransaction level and the macro-transaction level. The concern over the origin of the cosmological boundary and the assuredness in its stability is contingent on priest-king-population interaction for verification of the landscape’s cultural “what-was-and-always-will-be.” While I am using a modern turn of phrase to elaborate upon Babylonian thinking, by considering the existence of the kudurru, it does point to the logic that stability was important. As humanity tends to want both stability and to cause chaos, as seen in the Umma v. Lagash conflict, the ultimate stability in the construction of boundaries rests upon divinity not humanity, while the enforcement of divinity relies on humanity. This is the understanding

of the Babylonians; while to the anthropologist and the archaeologist religious cosmology exists as a social construction, the true interaction is amongst a collective action and belief in human institutions imagined to have a cosmological hierarchy by which the collective-action burden of maintenance can be pawned off by culturally imbuing agency onto stones. These stones (kudurrus) maintain some semblance of permanence beyond a single life-time, thus the text relies on the cultural institution’s understanding of what Nanše’s boundary was/is, while then verifying the oral cartography of those populations indigenous to the region in order to ensure long term stability as mediated and maintained by the kudurrus. The violation of the kudurrus are then seen as dichotomous as the Babylonian gods exist as a link to their landscape and have no physical or corporeal form, which means that the enforcement of the long-term stability of cosmological boundaries falls on the generations of believers and “pious princes” through which the cosmological order can be maintained, however fictious the order of cosmological landscapes may have been at their inception.

“Whosoever in the future, (someone), either trusted officer, or mayor, (someone) from among the royal troops, as many as there be, from among family, relations, kin by marriage, who would rise up, (who) would violate (what is here commemorated) with regard to the land (and) prebend of god and king, saying his is a brother or comrade, (who) would bury the narȗ where it cannot be seen, (who) would burn (it) with fire, (who) would cause a powerless, half-witted, simple, conviction less, brutish (person), a babbler, a weakling to remove (it)—May Anu, Enlil, and Ea curse him with a malevolent curse of no release! (Nazi-Maruttaš RA 66, 29-36)”

The importance of curse formula as evidence for the Babylonians having culturally imbued the kudurrus with agency is self-evident in their existence at all. Had the boundaries, their gods, and their cosmological cartography not have been of importance

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82 Slanski, The Babylonian Entitlement Narūs (kudurrus), 25.
to maintain on a macroscale, then the need to ensure that the violation of those boundaries or the cultural creation of gods who cared so deeply and were so identifiable by the landscape to which they owned would not have happened. Because the gods are shown to care about the status quo of their identifying landscape, it also illustrates the Babylonians’ cultural identity as intrinsically linked to the physical landscape through which the social creation of protecting deities was predicated upon.
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